

SENATE—Saturday, January 2, 1971

The Senate met at 11 a.m. and was called to order by the Acting President pro tempore (Mr. METCALF).

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Eternal God, who makest all things new and abidest forever the same, grant us to begin this year in Thy faith, to live it under Thy direction, to conclude it in Thy favor, and at the end to hear Thee say, "Well done, good and faithful servant."

In the name of Him who came not to be ministered unto but to minister and give His life for many. Amen.

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT—ENROLLED BILL SIGNED

Under authority of the order of the Senate of December 31, 1970, the Secretary of the Senate, on December 31, 1970, received a message from the House of Representatives, which announced that the Speaker had affixed his signature to the enrolled bill (H.R. 16199) to establish a working capital fund for the Department of the Treasury; to amend the Internal Revenue Code of 1954 to accelerate the collection of estate and gift taxes, to continue excise taxes on passenger automobiles and communications services; and for other purposes, and it was signed by the Acting President pro tempore (Mr. METCALF) on December 31, 1970.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on December 31, 1970, he presented to the President of the United States the following enrolled bills:

- S. 437. An act to amend chapter 83 of title 5, United States Code, relating to survivor annuities under the civil service retirement program, and for other purposes; and
- S. 1626. An act to regulate the practice of psychology in the District of Columbia.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, December 31, 1970, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

AUTHORIZATIONS FOR INSERTIONS IN THE RECORD FOLLOWING ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that Senators may be permitted to make insertions in the Record following the adjournment of Congress until the last edition authorized by the Joint Committee on Printing is published; but this order shall not apply to any subject matter which may have occurred or to any speech delivered subsequent to the adjournment of Congress.

I wish to advise that the time for filing information to be included in the RECORD will be up to January 11, 1971.

SENATOR FROM DELAWARE—ADMINISTRATION OF OATH

Mr. SCOTT. Mr. President, I present the certificate of appointment of the Honorable WILLIAM P. ROTH, JR., as a Senator from the State of Delaware and ask that it be read.

The ACTING PRESIDENT pro tempore. The certificate will be read.

The legislative clerk read as follows:

CERTIFICATE OF APPOINTMENT

To the PRESIDENT OF THE SENATE OF THE UNITED STATES,
Washington, D.C.

Attention: Francis R. Valeo, Secretary of Senate, U.S. Capitol:

This is to certify that, pursuant to the power vested in me by the Constitution of the United States and the laws of the State of Delaware, I, Russell W. Peterson, the Governor of said State, do hereby appoint William V. Roth, Jr., a Senator from said State to represent said State in the Senate of the United States for the unexpired term ending at noon on the third day of January, 1971, caused by the resignation of The Honorable John J. Williams.

Witness: His excellency our Governor, Russell W. Peterson, and our seal hereto affixed at Dover this 1st day of January, in the year of our Lord 1971.

By the Governor:

[SEAL] RUSSELL W. PETERSON,
Governor.
RICHARD H. CALDWELL,
Acting Secretary of State.

The ACTING PRESIDENT pro tempore. The Chair lays before the Senate a letter from the former Senator from Delaware (Mr. John J. Williams), which the clerk will read.

The legislative clerk read as follows:

U.S. SENATE,
Washington, D.C., December 31, 1970.
The PRESIDENT OF THE U.S. SENATE,
Washington, D.C.
(Attention Mr. Francis R. Valeo, Secretary of the Senate.)

MY DEAR MR. PRESIDENT: I am hereby resigning as United States Senator from Delaware effective midnight December 31, 1970.

Governor Russell W. Peterson of Delaware, has been officially notified of this resignation by telegram, a copy of which is enclosed.

Yours sincerely,

JOHN J. WILLIAMS.

The ACTING PRESIDENT pro tempore. If the Senator-designate will present himself at the desk, the oath of office will be administered to him.

Mr. ROTH of Delaware, escorted by Mr. SCOTT, advanced to the desk of the Vice President; the oath prescribed by law was administered to him by the Acting President pro tempore (Mr. METCALF); and he subscribed to the oath in the official book.

[Applause, Senators rising.]

RECESS

Mr. MANSFIELD. Mr. President, in view of Senator ROTH's connection not only with Delaware but also with the

State of Montana, of which we are proud, I ask unanimous consent that the Senate stand in recess for 2 minutes for the purpose of greeting our new distinguished colleague.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Thereupon, at 11:04 a.m., the Senate took a recess for 2 minutes.

On the expiration of the recess, the Senate reassembled, and was called to order by the Presiding Officer (Mr. STEVENS).

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had agreed to a concurrent resolution (H. Con. Res. 799) providing that the two Houses of Congress shall adjourn on Saturday, January 2, 1971, and that they stand adjourned sine die, in which it requested the concurrence of the Senate.

ORDER FOR ADJOURNMENT SINE DIE

Mr. MANSFIELD. Mr. President, I ask the Chair to lay before the Senate the message from the House of Representatives just received.

The PRESIDING OFFICER (Mr. STEVENS) laid before the Senate House Concurrent Resolution 799, which was read as follows:

Resolved by the House of Representatives (the Senate concurring). That the two Houses of Congress shall adjourn on Saturday, January 2, 1971, and that when they adjourn on said day, they stand adjourned sine die.

Mr. MANSFIELD. Mr. President, I ask unanimous consent for the immediate consideration of the concurrent resolution.

The PRESIDING OFFICER. Is there objection?

There being no objection, the concurrent resolution (H. Con. Res. 799) was considered and agreed to.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider two nominations on the Executive Calendar.

There being no objection, the Senate proceeded to the consideration of executive business.

The PRESIDING OFFICER. The nominations on the Executive Calendar will be stated.

OFFICE OF ECONOMIC OPPORTUNITY

The legislative clerk read the following nominations in the Office of Economic Opportunity:

Carol M. Khosrovi, of Virginia, to be an Assistant Director of the Office of Economic Opportunity.

John Oliver Wilson, of Connecticut, to be an Assistant Director of the Office of Economic Opportunity.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations are considered and confirmed en bloc.

FRANK CARLUCCI

Mr. JAVITS. Mr. President, I must express my deep regret that we could not get Mr. Frank Carlucci's nomination confirmed. I hope very much that the President will not be discouraged. I think the general feeling is that he is a very fine man but it did, unhappily, get into a difficult situation in a matter with which he had absolutely nothing to do, and on which he had absolutely no opportunity to pass. I hope very much that the world will not regard this as any passing over of a man, or a refusal or failure to approve him, or that we have any real doubts about him but will understand the situation as being somewhat beyond his control.

I think he will make a very fine administrator and I hope very much that he will be confirmed very early in the next session of Congress.

Mr. MANSFIELD. I appreciate the statement of the Senator from New York. I am delighted that he made it.

Mr. JAVITS. I thank the Senator from Montana.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of calendar No. 1553, H.R. 18251, and calendar No. 1558, H.R. 19915.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF THE INTERNAL REVENUE CODE OF 1954 TO PROVIDE REFUNDS IN THE CASE OF CERTAIN USES OF TREAD RUBBER

The Senate proceeded to consider the bill (H.R. 18251) to amend the Internal Revenue Code of 1954 to provide refunds in the case of certain uses of tread rubber which had been reported from the Committee on Finance with an amendment on page 3, after line 18, insert a new section, as follows:

Sec. 2. Section 2(b) of the Act entitled "An Act to continue for three years the existing suspension of duties on certain alumina and bauxite, and for other purposes", approved

October 21, 1968 (82 Stat. 1210; Public Law 90-615), is amended by striking out "the date of the enactment of this Act" and inserting in lieu thereof "January 10, 1967".

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "An act to amend the Internal Revenue Code of 1954 to provide refunds in the case of certain uses of tread rubber, and for other purposes."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-1543), explaining the purposes of the measure.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

SUMMARY

The bill, H.R. 18251, as it passed the House amends the tax laws to provide credits or refunds of the manufacturers excise tax on tread rubber where tax-paid tread rubber: (1) is wasted in the recapping or retreading process, (2) is used in the recapping or retreading of tires the sale of which is later adjusted, or (3) is used in the recapping or retreading of tires which are exported, are sold to State or local governments, are sold to nonprofit educational institutions, or are sold as supplies for vessels or aircraft.

The committee accepted the House-passed provision without change. The Treasury Department has indicated that it has no objection to enactment of this provision.

The committee added to the bill a provision dealing with an amendment enacted in the 90th Congress, relating to drawbacks of tax on distilled spirits used for nonbeverage purposes. The provision added by the committee makes the drawback amendment effective as to claims for drawback filed on or after the first day of the 90th Congress.

II. REASONS FOR THE BILL

Excise tax on tread rubber

There are several instances under present law where a manufacturers tax is imposed on tread rubber when in a similar situation a manufacturers tax would not be imposed in the case of a new tire.

First, the tire tax is imposed on the weight of the new tire after completion of the manufacturing process. Rubber wasted in manufacturing does not figure in the tax base for the new tire. The tax is imposed when the completed tire is sold and is imposed only on the material actually in the completed tire. In the case of the tax on tread rubber, the tax is imposed before the completion of a major manufacturing process—the recapping or retreading of the used tire. Wastage of tread rubber in that process occurs after the tread rubber tax liability has been determined, and under present law no refund or credit is provided for any portion of the tax imposed on the tread rubber which is wasted.

Second, under present law, where the sale of a new tire is adjusted on account of a tread mileage or road hazard guarantee or other similar arrangement, a credit is allowed for the portion of the tax equal to the proportion of the reduction in price of the replacement tire. However, if the sale of a retreaded tire is adjusted under the same circumstances, present law does not permit any credit or refund of the tread rubber tax.

Third, under present law, a credit or refund of the tax on new tires is available when the tire is exported, sold to a State or local government, sold to a nonprofit educational organization, or sold as supplies for a vessel

or aircraft. A credit also is available on account of the tire tax when a new tire is mounted on a new automobile that is then disposed of in any of the above ways. However, no credit or refund is available for the tread rubber tax when a recapped or retreaded tire (or the car on which it is mounted) is disposed of in any of those ways.

The committee agreed with the House that the differences described above between the tread rubber tax and the new tire tax, are not warranted and, as a result, that it is desirable to provide for refunds in the above types of cases.

Effective date of distilled spirits drawback—refund

The committee has added to the bill a provision relating to an amendment enacted by the 90th Congress to extend from three months to six months the time by which a refund claim must be filed for drawbacks of distilled spirits for use in medicines, medicinal preparations, food products, flavors, or flavoring extracts, which are unfit for beverage purposes. The 90th Congress agreed to extend the time for filing these claims for drawback because it concluded that the three months period allowed by prior law was too short, especially in light of the fact that the statute permits no exercise of discretion in the case of hardship. The committee believes that, since Congress concluded that the request for relief was meritorious and amended the law to grant relief, then Congress ought not to deny relief to those who brought the matter to Congress attention. Precedents for such action are numerous—in particular, the recently passed provision in H.R. 17473, relating to floor stock refunds under the Excise Tax Reduction Act of 1965.

III. GENERAL EXPLANATION

Excise tax on tread rubber

Under present law, a manufacturer's excise tax of 5 cents a pound is imposed on the sale of tread rubber (sec. 4071(a)(4)). A credit or refund of this tax is allowed if the tread rubber is used or sold for use otherwise than in the recapping or retreading of tires of the type used on highway motor vehicles (sec. 6416(b)(2)(L)). The bill makes a credit or refund of the tread rubber tax available in three other situations.

The first situation in which the credit or refund is to be available is where rubber is destroyed, scrapped, wasted, or rendered useless in the recapping or retreading process.

Second, the credit or refund is to be available where the tread rubber is used in the recapping or retreading of a tire if the sale price of the tire is later adjusted because of a warranty or guaranty. Where a sale of a retreaded tire is adjusted, the overpayment (that is, the amount available for credit or refund) is to be the same proportion of the tax as the adjustment in the sales price of the retreaded tire is of the sale price. For example, assume that a retreaded tire is returned because of road failure after being used only 40 percent of the guaranteed life. Under the guaranty, the owner of the tire in this case is entitled to reduce the price of a replacement tire by an amount equal to 60 percent of the price of the original tire. In this case, therefore, a credit or refund is allowable for 60 percent of the tread rubber tax paid on the returned retread tire.

Finally, where a retreaded tire is sold by a subsequent manufacturer on or in connection with another article (for example, a truck) manufactured by him, the bill provides that credit or refund of the tread rubber tax is to be allowed to the further manufacturer (in this example, the truck manufacturer) if the article (in this example, the truck) is by any person (1) exported, (2) sold to a State or local government for the exclusive use of a State or local government, (3) sold to a

nonprofit educational organization for its exclusive use, or (4) used or sold for use as supplies for vessels or aircraft. In addition, a credit or refund of the tread rubber tax is to be available for the tread rubber on a recapped or retreaded tire resold for any of the uses listed above if it is exported or sold by any person for one of those purposes. Also, a credit or refund of the tread rubber tax is to be available to the manufacturer of the recapped or retreaded tire if that retreader sells the tire on or in connection with any other article manufactured by him, and that other article is exported or sold by any person for one of the purposes described above.

These changes are intended to permit credit or refund of the tax on the tread rubber used on a recapped or retreaded tire, under the circumstances where a credit or refund would be available under present law for a new tire.

The amendments made by this bill are to take effect on the first day of the first calendar month which begins more than 10 days after the date of the bill's enactment. That is, they apply where, on or after the effective date, (1) tread rubber is destroyed, scrapped, wasted, or rendered useless in the recapping or retreading process, (2) adjustments are made with respect to recapped or retreaded tires, and (3) recapped or retreaded tires (or the articles on or in connection with which they are sold) are exported, sold to a State or local government for the exclusive use of a State or local government, sold to a nonprofit educational organization for its exclusive use, or used or sold for use as supplies for vessels or aircraft.

Effective date of distilled spirits drawback-refund

The provision added by the committee changes the effective date of a 90th Congress enactment, Public Law 90-615 (sec. 2(a)) amended the distilled spirits provisions of the internal revenue laws (sec. 5134(b)) to extend from 3 months to 6 months after the close of a calendar quarter, the time by which a claim for drawback of tax on distilled spirits used for nonbeverage purposes must be filed as to that calendar quarter. That provision (in sec. 2(b) of the act) applied the change to claims filed on or after the date of enactment—namely on and after October 21, 1968. The provision added by the committee to this bill applies the change to claims filed on or after January 10, 1967—the first day of the first session of the Congress that enacted Public Law 90-615.

MAKING PERMANENT THE TEMPORARY PROVISION FOR DISREGARDING INCOME OF OLD AGE, SURVIVORS, AND DISABILITY INSURANCE AND RAILROAD RETIREMENT RECIPIENTS IN DETERMINING NEED FOR PUBLIC ASSISTANCE

The bill (H.R. 19915) to make permanent the existing temporary provision for disregarding income of old-age, survivors, and disability insurance and railroad retirement recipients in determining their need for public assistance was announced as next in order.

Mr. GRIFFIN. Mr. President, reserving the right to object, I understood there was an amendment to be offered on this bill.

Mr. MANSFIELD. Mr. President, if there is an amendment to be offered, then I believe, in view of that situation, I shall withdraw consideration of the bill.

Mr. President, I withdraw consideration of this bill.

The PRESIDING OFFICER. The bill will be withdrawn.

Mr. MANSFIELD subsequently said. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 1558, H.R. 19915; that it be made the pending business, and that an amendment to it be considered.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The legislative clerk read the bill by title, as follows: A bill (H.R. 19915) to make permanent the existing temporary provision for disregarding income of old-age, survivors, and disability insurance and railroad retirement recipients in determining their need for public assistance.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

The ACTING PRESIDENT pro tempore. The bill is open to amendment.

Mr. MANSFIELD. Mr. President, there is an amendment at the desk.

The ACTING PRESIDENT pro tempore. The amendment will be read.

The legislative clerk read the amendment in the nature of a substitute as follows:

Strike out all after the enacting clause and insert:

"That section 1007 of the Social Security Amendments of 1969, as amended by section 2(b) of Public Law 91-306, is amended to read as follows:

"SEC. 1007. In addition to the requirements imposed by law as a condition of approval of a State plan to provide aid to individuals under title I, X, XIV, or XVI of the Social Security Act, there is hereby imposed the requirement (and the plan shall be deemed to require) that, in the case of any individual found eligible (as a result of the requirement imposed by this section or otherwise) for aid for any month after March 1970 and before January 1972 who also receives in such month—

"(1) a monthly insurance benefit under title II of such Act, the sum of the aid received by him for such month, plus the monthly insurance benefit received by him in such month, shall not be less than the sum of the aid which would have been received by him for such month under the State plan as in effect for March 1970, plus either

"(A) the monthly insurance benefit which was or would have been received by him in March 1970 without regard to the other provisions of this title plus \$4, or

"(B) the monthly insurance benefit which was or would have been received by him in March 1970 under the provisions of this title,

whichever is less (whether this requirement is satisfied by disregarding a portion of his monthly insurance benefit or otherwise), or

"(2) a monthly payment of annuity or pension under the Railroad Retirement Act of 1937 or the Railroad Retirement Act of 1935, the sum of the aid received by him in such month, plus the monthly payment of such annuity or pension received by him in such month (not including any part of such annuity or pension which is disregarded under section 1006), shall (except as otherwise provided in the succeeding sentence) not be less than the sum of the aid which would have been received by him for such month under such plan as in effect for March 1970, plus either

"(A) the monthly payment of annuity or pension which was or would have been received by him in March 1970 without regard to the provisions of any Act enacted after May 30, 1970, and before December 31,

1970, which provides general increases in the amount of such monthly payment of annuity or pension plus \$4, or

"(B) the monthly payment of annuity or pension which was or would have been received by him in March 1970, taking into account the provisions of such Act (if any), whichever is less (whether this requirement is satisfied by disregarding a portion of his monthly payment of annuity or pension or otherwise)."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. MILLER. Mr. President, the reason for the amendment is that the substance of this legislation was included in the social security bill. It was anticipated, at the time the Senate Finance Committee took action on this measure, that the House would agree to a conference and that we would have a social security bill. Unfortunately, those expectations have not been fulfilled, and in order to do equity, it is necessary to have this legislation. It is hoped that there will be a social security bill next year, and therefore, it is necessary to extend the application of this legislation only for 1 additional year.

That is what the purpose of the amendment is, and I hope the Senate will agree to it.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read:

"An Act to extend the temporary provision for disregarding income of old-age, survivors, and disability insurance and railroad retirement recipients in determining their need for public assistance."

Mr. SCOTT. Mr. President, if the distinguished majority leader will yield, I might say, for the information of the Senate, that the reason we are passing the bill with an amendment today is that the distinguished chairman of the Ways and Means Committee in the other body is over there, and we hope this measure can be expeditiously adopted.

THE SENATOR FROM DELAWARE

Mr. SCOTT. Mr. President, if the distinguished majority leader will yield briefly, I simply would like to serve notice that at this time I would normally have a number of things to say about our new Senator, but we are aware that this is the last day of the session, and I know Senator ROTH of Delaware would understand if we do not say many things that are in our hearts that we would like to say about him. He is a great man. He comes from the first State which started the Nation. We are immensely proud of that and of him.

Mr. MANSFIELD. Was the Senator referring to Delaware or Montana?

Mr. SCOTT. I was referring to Delaware, although Delaware has very fine Montana connections, which can be seen in the visages of children. They have that Montana expression of happiness and vigor.

Mr. MANSFIELD. I thank the Senator.

REPORT OF THE SENATE DEMOCRATIC POLICY COMMITTEE ON THE ACCOMPLISHMENTS OF THE 91ST CONGRESS—PRINTED AS A SENATE DOCUMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate Democratic Policy Committee be permitted to have printed in the *Record* and as a Senate document its report of the accomplishments of the 91st Congress, together with a statement made by the majority leader on Thursday, December 31, 1970; as well as a summary as of the time of adjournment today.

I ask unanimous consent that that statement be again printed in the *Record* to insure continuity and that it be considered as if spoken.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, a number of assessments have already been offered of the 91st Congress—its record, its achievements, its failings and its flaws. I hope that the Senate is of a mind at this time to take one more evaluation from the leadership. One can readily criticize the pattern of Senate performance these past two or three weeks. That it comes at the end of a long Congress of intense, exhausting and virtually continuous session is easily forgotten. The achievements of two years may well be overlooked in the procedural thickets of adjournment. As in other situations, the legislative good is often interred with the bones of an expiring Congress. Praise should neither be sought nor expected for doing what it is our responsibility to do.

Nevertheless, it ought to be said for the historic record that this Congress has coincided with the beginning of a difficult national decade. I think it was sensed at the outset that we would be meeting at the opening of an era of drastic change at home and abroad. The pressure for change has already become very evident in the Nation and the work of the Senate has mirrored it. Almost at the outset of the 91st Congress questions were raised concerning the need to reduce this Nation's antiquated commitments and accumulated involvements abroad, notably those of Vietnam. Heard, too, from the outset were the questions of the neglected needs of the people here at home.

This Congress—the 91st Congress—has played a decisive and fundamental role in setting forth these questions, both domestic and foreign, during the past 2 years. Moreover, the Senate has provided leadership and active participation in the search for answers to these questions.

If we know a little more clearly the dimensions of what now confronts the Nation, the work of the Senate has helped to induce that clarity. If the Federal Gov-

ernment has, at least, begun to move more emphatically against the backlog of national difficulties, whether they be the war in Vietnam, the disintegration of urban life, the needs of older Americans, pollution, crime or whatever, it is due in part to the activities of the 91st Congress. I am not talking about the passage of particular laws. To be sure, many laws have been passed. We do not, however, nor should we, measure the contribution by the number of items that have been run through the legislative computer.

The impact of the Senate and the Congress is to be viewed, more accurately, I believe, in terms of the cumulative impact of this one branch on the course of the Federal Government. The impact is to be seen, for example, in the many-sided efforts which, in the end, produced nearly a \$10 billion reduction in Federal spending in this Congress, largely by cuts in excessive military and overseas activities. Its impact is to be noted in the fact that some of those billions have been rechanneled by legislation into more compelling domestic needs—into education, into health, into the resolution of urban difficulties, poverty, pollution control and the like. In a very deliberate and responsible way, the Congress acted to bring about this shift without contributing further to inflationary pressures. It cut in one place as it added in another. But the overall appropriations which this Congress votes are expected to be less than the administration's request for funds.

The record of this Congress also includes significant progress in the Senate in revitalizing the role of Congress with regard to foreign relations. The effort was dramatized during the extended debate on the Cooper-Church amendment last summer. To be sure, some found this effort unproductive and time consuming at best. Some even have labeled it an intrusion on the powers of the Presidency. In my judgment, that is far from the reality. Cooper-Church was a necessary restraint on a pendulum which had swung the control of this Nation's affairs abroad too far away from the constitutional purview of the Congress. In truth, it was a restraint on a pendulum which was moving ever further away even from the control of our elected President. The impact of what was done here, in my judgment, has reinforced the President's desire to withdraw from Indochina. It has been an indispensable initiative, if the spread of our involvement in the war in Indochina was to be halted.

It should be noted that there has been criticism concerning the Senate's treatment of the President's legislative requests. That criticism is hardly that the Senate has failed to consider the President's requests. Few legislative matters to which the President attached personal importance have gone by the board in this Congress. The great bulk of the President's program has had fair hearing and substantial action in the Senate. I suspect, therefore, that the criticism must stem from the fact that in considering the President's program, the Senate has insisted on adding its own judgments. To be sure, these judgments

on occasion have deviated from those of the Administration's. To be sure, the Senate insisted, as the Minority Leader suggested a few days ago, that its own stamp be added to legislation.

I find it neither unusual nor undesirable that the legislative powers of the Congress be exercised in that fashion. They have been exercised, moreover, not by Democratic Senators or by Republican Senators, but by the Senate as a whole. They have been exercised by Members of both parties joined, time and again, in substantial numbers to forge the necessary majorities.

I am frank to say that there is one major item of the President's program which did not receive the treatment to which it was entitled. That is the Family Assistance Plan. While the measure was in Committee for a long time and directly before the Senate for a number of days, I regret that it did not get a proper decision. May I say that many Senators felt the same way. They wanted very much to have this program voted upon on the merits. But the Senate was unable to vote. Why it was unable to vote is now a matter of record.

The Leadership apologizes to the President for this inability to act in the closing days of the Congress. I can only reiterate the hope that already has been expressed that everything possible will be done to bring the matter to a head early in the next Congress.

As for most legislative items—whether initiated by the Administration or here in the Congress—the record of the Senate, in my judgment, is highly respectable. That is very evident with respect to anticrime measures. The Senate passed virtually all anticrime proposals requested by the Administration, and initiated and passed many more on its own.

With respect to the economy, the Congress has responded to whatever initiatives have been taken by the Administration. We have responded with an eagerness to cooperate in coping with the severe decline in business and agriculture. We have sought, too, to alleviate the human hardships which are accumulating in the wake of this economic slide.

With regard to the inflation, every measure which the President has requested has received prompt action. We have cut overall expenditures in some areas so that in all likelihood, the final Congressional appropriations will be, as I have noted, lower in total than what was requested by the Administration. Congress is willing to do more to try to keep a lid on prices. In this connection, it has already given the President wage and price authority and selective-credit control authority.

To reduce unemployment, moreover, the Congress offered the President a manpower program that was designed to keep 300,000 Americans off the welfare rolls. The measure regrettably was vetoed. As a result, thousands of Americans are already or will soon be consigned indefinitely to welfare, burdening even more the hard-pressed resources of the cities and States.

There is room for legitimate criticism of this Congress—this Senate. It is obviously not helpful to effective legislation, to say the least—when complex,

controversial and far-reaching measures of national import reach the floor of the Senate in the dying days of a Congress. To be sure, there are extenuating circumstances at this time. Nevertheless, the problem of the logjam is occurring with ever-increasing frequency. It must be faced. A confrontation with legislative avalanches at the end of a Congress leads in the end to more than a procedural mess. It leads also to serious substantive unreasonableness.

It is not accurate to saddle the blame for these circumstances on the Administration alone; or on the House alone; or on the Senate alone. During this Congress, all parties in the Government bear part of the responsibility. In so saying, I do not seek to minimize the Senate's shortcomings. In the future, it seems to me the Administration and Congress—and within Congress, the Senate and the House—must take further steps to avoid a worsening impasse. The Administration must get its legislative program to the Congress early in the year and then refrain from introducing last minute changes or sweeping additions. It seems to me, too, that the House which acts first must move appropriations and revenue bills to the Senate without prolonged delay. It seems to me, finally, that the Senate committees must redouble their efforts to bring to the calendar early in the session authorizing legislation and all other legislation that is obviously complex and controversial.

As for procedural problems of this kind, fresh approaches may be expected next year. I would not anticipate the Senate but there are indications that a serious examination of the cloture rule is in the offing. There may be further innovations designed, hopefully, to expedite the business of the Senate. The Joint Leadership, for example, has listened with great interest to several of the newer Members—Senators CRANSTON, HUGHES, SAXBE, and SCHWEIKER, in particular, who have advanced a number of helpful procedural suggestions.

We must look to our procedures because it has become quite apparent that Congressional business has expanded immensely. During this session, the Senate has met in session more days and more hours than has any other Senate in at least a score of years. The fact is that we were faced with a very substantial legislative chore and the fact is underscored by the substantial legislative record which has emerged.

This record has been compiled in the Senate because Democrats and Republicans have joined to make it possible. To the Members on both sides of the aisle, therefore, I wish to express my deep appreciation for their contributions as well as their patience and understanding. The distinguished Minority Leader (Mr. SCOTT) has been a great strength. His consideration, his courtesy and his co-operation have been as welcome as they have been essential to the responsible operation of the Senate.

Mr. President, I ask unanimous consent to insert in the RECORD at this point a summary of Senate activity during the second session. I reiterate, this is the product of both parties. It is the product of a Senate which in the year 1970 has

taken over 400 rollcall votes, more than ever before in the Nation's history. It is the legislative product of a Senate, which, notwithstanding the events of the past few weeks, has worked with great dedication and discernment to serve the interests of the people of the Nation.

OUTSTANDING LEGISLATIVE ACHIEVEMENTS

Legislative Reorganization Act of 1970.
Comprehensive Drug Abuse Prevention and Control Act.

Omnibus Crime Control Act.
Organized Crime Control Act.
Military construction authorization.
Military procurement authorization.
District of Columbia Court Reform and Criminal Procedure Act.
District of Columbia Delegate to House.

Bank holding companies.
Defense Production Act extension; standby wage, price, and rent controls.
Foreign bank secrecy; unsolicited credit cards; consumer credit reporting.
Elementary and secondary education amendments.

Alaska Native Claims Settlement Act (no House action).

Pornographic mail (no House action).
Rejection of findings and recommendations of Commission on Obscenity and Pornography (Senate resolution).
Postal Reorganization Act.

Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act.
Developmental disabilities services and facilities construction amendments.

Medical facilities construction and modernization amendments (passed over Presidential veto).

National Air Quality Standards Act.
Regional Medical Programs and Comprehensive Health Planning and Services Act.

Emergency Home Finance Act.
Housing and Urban Development Act.
Gulf of Tonkin resolution—termination (Senate resolution; also contained in military sales bill).

Military sales—limitations on U.S. involvement in Cambodia (in conference).

Voting Rights Act extension (lowered voting age to 18).

Employment and Manpower Act (vetoed by the President).

Equal Employment Opportunities Enforcement Act (no House action).

Confirmation of Harry A. Blackmun to be an Associate Justice of the Supreme Court of the United States (also rejection of Carswell nomination).

Resource Recovery Act.
Wilderness areas.

Employment security amendments.
Airport and Airways Development Act.

Federal-Aid Highway Act (a bill on House calendar).

Merchant Marine Act.
Political broadcasting (vetoed by President).

Rail Passenger Service Act.
Urban Mass Transportation Assistance Act.

Occupational Safety and Health Act.
Consumer Protection Organization Act.

Securities Investor Protection Corporation.

Voting Rights Act extension.

Federal Water Pollution Control Act amendments.

Social security increases.

Family practice medicine (vetoed by President).

SENATE LEGISLATIVE ACTIVITY (91ST CONGRESS, 2D SESSION) (BY SENATE DEMOCRATIC POLICY COMMITTEE)

Days in session	208
Hours in session	1425:04
Total measures passed	984
Public Laws	413
Treaties	10
Confirmations	61,162

Symbols: P/H—Passed House; P/S—Passed Senate.

Following is a brief summary of major Senate activity:

AGRICULTURE

Agricultural Act of 1970: Provided 3-year programs for milk, wool, wheat, feed grains, and cotton; limited annual subsidy payments per person per crop under the wheat, feed grains, and cotton programs for the 1971 through 1973 crops to \$55,000; provided for a long-term cropland retirement program; extended the provisions of Public Law 480, 83d Congress, which authorized donations and long-term dollar credit and foreign currency sales of farm commodities to underdeveloped nations; committed Congress to a sound rural-urban balance; and contained other provisions. Public Law 91-524.

Agricultural exports expansion: Makes it possible for representatives of the domestic wine industry to participate in market development activities carried out with foreign currencies made available under title I of Public Law 480, 83d Congress. H.R. 14169. P/H 3/10/70. P/S amended 12/17/70.

Almond marketing orders: Amended the marketing order law to authorize provision for paid advertising in marketing promotion activities under almond marketing orders; permitted a handler's direct marketing promotion expenditures to be credited against his assessment under an almond order; and provided that inclusion of marketing promotion provisions in a marketing order shall not preclude similar provisions in a State order. Public Law 91-522.

Animal Welfare Act: Expanded protection to more animals and provided additional regulation of people handling, exhibiting, buying, selling, or transporting animals or who use them in the pursuit of medical and scientific knowledge. Public Law 91-579.

Apple marketing orders: Extended to apples those provisions of the marketing law which now authorize paid advertising to be provided for in marketing orders for cherries, carrots, citrus fruits, onions, Tokay grapes, fresh pears, dates, plums, nectarines, celery, sweet corn, limes, olives, pecans, and avocados. Public Law 91-363.

Conservation and development projects: Authorized the Secretary of Agriculture to bear part of the cost of installing public fish and wildlife or recreational developments in so-called resource conservation and development projects but not to exceed one-half the cost of the land and minimum basic public facilities needed in connection with such development. Public Law 91-343.

Custom slaughtering: Amended the Federal Meat Inspection Act to permit custom slaughterers to buy and sell meat and meat food products without losing their exemption as slaughterers; exempted from inspection requirements the custom preparation for the use of the owners and their households of carcasses and parts of carcasses of (1) cattle, sheep, swine and goats slaughtered by their producers, and (2) game animals; and permitted the Secretary of Agriculture to exempt custom slaughtering and processing performed by an inspected establishment. Public Law 91-342.

Dairy products donation: Amended the Agriculture Act of 1949 to provide that dairy products acquired by the Commodity Credit Corporation through price support operations may be donated, prior to any other disposition, for use in the United States in nonprofit school lunch and other nonprofit child feeding programs, in the assistance of needy persons, and in charitable institutions, including hospitals. Public Law 91-233.

Egg Products Inspection Act:

Provide for the inspection of certain egg products by the Department of Agriculture; restriction on the disposition of certain qualities of eggs; uniformity of standards for eggs in interstate or foreign commerce; and cooperation with State agencies in administration of this Act. S. 2116. P/S 2/2/70.

Prohibited the distribution of unwholesome shell eggs or their use in food products; provided for mandatory continuous inspection of egg product processing plants; applied to intrastate as well as interstate and foreign commerce; provided for exemptions, identification of egg products not intended for human food, recordkeeping, and Federal-State cooperation; prohibited, generally, States from imposing requirements conflicting with the bill, or certain other Federal laws; and required imports to meet the same requirements as domestic products. Public Law 91-597.

Emergency assistance to provide nutritious meals to needy children: Amended the National School Lunch Act to enable the provision of free or reduced-price meals to needy children and authorized the Secretary of Agriculture to use \$30 million of funds from Section 32 of the Act of August 24, 1935 to supplement funds heretofore made available to carry out programs during fiscal year 1970 to improve the nutrition of needy children in public and nonprofit private schools participating in the National School Lunch Program under this Act or the school breakfast program under the Child Nutrition Act of 1966. Public Law 91-207.

Food Stamp Act of 1964 amendments:

Authorized \$1.75 billion for fiscal year 1971 and such sums as may be necessary for fiscal years 1972 and 1973; clarified the persons and the jobs which are specifically covered by the Act; provided that certain able-bodied persons, including those employed and working for less than 30 hours per week, would be required to register for and to accept employment for jobs covered by State or Federal minimum wage laws or Federal wage regulations; provided that jobs not covered by such laws or regulations would not be considered available unless an hourly

wage rate of \$1.30 is provided; provided that refusal to accept work at a plant or site which is subject to a lock-out will not be the basis for denying food stamp assistance; established the value of the coupon allotment to food stamp recipients at a level which the Secretary of Agriculture finds will provide a "nutritionally adequate diet;" required the Secretary to make an annual adjustment to reflect increases for food in the "Cost of Living" index published by the Department of Labor; provided authority for the Secretary to give free stamps to those who are in the greatest need of assistance; established the criteria that families of four persons having an income of less than \$30 per month may receive free stamps; provided for self-certification of persons on public assistance; and contained other provisions. H.R. 18582. Public Law 91-

Forest service contract renewal without advertising: Authorized the Forest Service to provide for procurement and operation of aerial facilities and services for the protection and management of the national forests and other lands administered by it. Public Law 91-435.

Guam agricultural services: Provides for the continuation through June 30, 1975, of authority for the Secretary of Agriculture to maintain an agricultural program in Guam, which authority expired September 7, 1969. S. 2991. P/S 5/11/70.

Hawaiian papayas — advertising: Added Hawaiian papayas to the list of commodities for which paid advertising can be provided for in marketing orders. Public Law 91-384.

Inspection of imported livestock products: Provides for thorough health and sanitation inspection of all livestock products imported into the United States and imposes a charge to cover inspection costs. S. 3942. P/S 9/21/70.

International animal quarantine station: Authorized the establishment of an international animal quarantine station in United States territory through which animals may be moved from any foreign country into this country to make it possible to improve livestock breeds; provides measures to prevent the introduction of and dissemination within this country of livestock or poultry disease or pests; and set penalties applicable to the movement of animals contrary to regulations to be issued. Public Law 91-239.

Milk, tomato, and potato promotion: Provided authority for promotion programs for milk, tomatoes, and potatoes, and provided that if domestic orders adopt standards controlling grade, size, quality and maturity, with respect to the marketing of olives (other than Spanish-style green olives), raisins, and prunes, then imported commodities must also comply with these same standards. S. 1181. Public Law 91-

National agricultural library: Authorized the Secretary of Agriculture to receive gifts for the benefit of the National Agriculture Library. Public Law 91-591.

Peanut acreage allotments transfer: Made the authority of the Secretary of Agriculture to permit transfers of peanut acreage allotments permanent. Public Law 91-568.

Plant Variety Protection Act: Provided for the issuance of "certificates of

plant variety protection" assuring developers of novel varieties of sexually reproduced plants of exclusive rights to sell, reproduce, import, or export such varieties, or use them in the production of hybrids or different varieties, for a period of 17 years; established a Plant Variety Protection Office in the Department of Agriculture to administer the law; and exempted celery, okra, peppers, tomatoes, carrots, and cucumbers from the act's provisions. Public Law 91-577.

Production research: Authorized inclusion in marketing orders for commodities other than milk of provisions for production research supported by handler assessments and made such research and development projects as now authorized by the Act, a purpose of the Act. Public Law 91-292.

Rural telephone bank: Creates a rural telephone bank to provide supplemental financing for rural telephone systems and provides that the rural telephone account consists of such net collections from the 2-percent telephone loan program received after July 1, 1968 as may be necessary to provide for the Government's investment in the bank. S. 3387. P/S 4/2/70. H.R. 7. H. Cal.

School lunch and child nutrition amendments: Improved and revised the child feeding programs conducted under the National School Lunch Act and the Child Nutrition Act of 1966 to provide better child feeding operations reaching all children, particularly the poor. The Act provided: authorization of appropriations 1 year in advance; school lunch apportionment based on lunches served 2 years prior; apportionment of nonfood assistance based on need; direct distribution of foods to schools and service institutions; matching requirements (beginning at 4 percent and rising to 10 percent); free and reduced price (not more than 20 cents) lunch for any public school child in a household which has an income below the poverty level, determined by the Secretary of Agriculture; apportionment of funds to States based on the number of children aged 3 to 17 in households with incomes of less than \$4,000 per year and to schools on the basis of need; Federal funding of 100 percent of the program costs; annual plans describing the proposed extended State lunch program; a National Advisory Council on Child Nutrition; an increased appropriation authorization for fiscal 1971 for the breakfast program (from \$12 million to \$25 million); and other changes. Public Law 91-248.

Special milk program extension: Permanently extended the authority for the special milk program scheduled to expire June 30, 1970, at the current authorization level of \$120 million. Public Law 91-295.

Tobacco allotments: Made permanent the authority for leasing of tobacco acreage allotments as provided by section 316 of the Agricultural Adjustment Act of 1938; placed limitations on such leasing; and excepted specified tobaccos. Public Law 91-284.

Tobacco quotas: Extends until March 1, 1971 the time for the proclamation of marketing quotas for burley tobacco for the three marketing years beginning October 1, 1971. S.J. Res. 249. Public Law 91-

Tomato advertising: Adds tomatoes to the list of commodities for which paid advertising can be provided in promotional programs under marketing orders. S. 1862. P/S 1/30/70.

Water Bank Act: Authorized the Secretary of Agriculture to enter into 10-year renewable contracts with landowners and operators in important migratory waterfowl nesting and breeding areas for the conservation of water on specified wetlands. Public Law 91-559.

Wheat referendum deferrals:

Permitted the wheat marketing quota referendum for the 1971 crop to be deferred until the earlier of October 15, or 30 days after the adjournment of Congress. Public Law 91-348.

Permitted the wheat marketing quota referendum for the 1971 crop to be deferred until not later than 30 days after adjournment sine die of the second session of the 91st Congress. Public Law 91-455.

Wheat research and promotion: Authorized the Secretary of Agriculture to enter into agreements with organizations of wheat growers, farm organizations, and other such organizations as appropriate to carry out a program of research and promotion designed to expand domestic and foreign markets and increase utilization for U.S. wheat. Public Law 91-430.

APPROPRIATIONS

1970

Continuing appropriations: Continued appropriations through February 28, 1970. Public Law 91-193.

Made further continuing appropriations for fiscal year 1970 to provide for authorized salary and compensation payments provided for in the Second Supplemental Appropriations Act, 1970. Public Law 91-257.

Foreign aid: Appropriated \$2,502,413,000 for foreign assistance and related agencies. Public Law 91-194.

Labor-HEW:

Appropriated \$19,747,153,000 for the Departments of Labor and Health, Education and Welfare, and related agencies. H.R. 13111. President vetoed 1/26/70. House sustained veto 1/28/70.

Appropriated \$19,381,920,000 for the Departments of Labor and Health, Education and Welfare, and related agencies. Public Law 91-204.

Second supplemental: Appropriated \$6,021,535,005 for the fiscal year ending June 30, 1970, for various program supplementals, pay increase costs due to comparability adjustments and resulting from the enactment of the Federal Employees Salary Act of 1970; and revised the ceiling on 1970 budget outlays. Public Law 91-305.

1971

Agriculture: Appropriated a total of \$8,090,856,550 for the Department of Agriculture and related agencies. Public Law 91-566.

Continuing appropriations:

Continued appropriations through July 31, 1970. Public Law 91-294.

Continued appropriations through October 15, 1970. Public Law 91-370.

Continued appropriations through the sine die adjournment of the second session of the 91st Congress and increased

from \$300 million to \$600 million the advance appropriations for the food stamp program and its availability to January 31, 1971. Public Law 91-454.

Continued appropriations through March 30, 1971, for the Department of Transportation and related agencies. H.J. Res. 1421. Public Law 91-

Defense: Appropriated \$66,595,937,000 for the Department of Defense. H.R. 19590. Public Law 92-

District of Columbia: Appropriated \$636,118,200 for the District of Columbia. The appropriated Federal payment is \$108,938,000. Public Law 91-337.

Education: Appropriated \$4,420,145,000 for the Office of Education. Public Law 91-380. Congress overrode Presidential veto.

Foreign aid: Appropriated a total of \$2,534,310,000 for foreign assistance and related programs. H.R. 17867. Public Law 91-

Independent offices—Housing and Urban Development:

Appropriated \$18,655,019,500 for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development. H.R. 17548. President vetoed 8/11/70. House sustained veto 8/13/70.

Appropriated \$17,709,525,300 for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development. Public Law 91-556.

Interior: Appropriated \$2,028,524,700 in new budget (obligational) authority and appropriations to liquidate contract authority for the Department of the Interior. Public Law 91-361.

Labor-HEW: Appropriated \$18,999,392,500 for the Departments of Labor and Health, Education and Welfare, and related agencies. H.R. 18515. Public Law 91-

Legislative: Appropriated \$413,054,220 for the Legislative Branch. Public Law 91-382.

Military construction: Appropriated \$2,037,814,000 for military construction for the Department of Defense. Public Law 91-544.

Public Works—Atomic Energy Commission: Appropriated \$5,238,517,000 for public works for water, pollution control, and power development and the Atomic Energy Commission. Public Law 91-439.

State, Justice, Commerce, the Judiciary, and related agencies: Appropriated \$3,108,074,500 in new budget (obligational) authority for the Departments of State, Justice, Commerce, the Judiciary, and related agencies. Public Law 91-472.

Supplemental: Appropriated \$2,089,107,792 for supplemental appropriations for fiscal year 1971. H.R. 19928. Public Law 91-

Transportation: Appropriated \$2,534,310,000 for the Department of Transportation and related agencies. H.R. 17755. P/H 5/27/70. P/S amended 12/3/70. House adopted conference report 12/15/70. Senate tabled conference report 12/29/70. In conference.

Treasury, Post Office and Executive Office: Appropriated \$3,004,711,000 in new budget (obligational) authority for

the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies. Public Law 91-422.

ATOMIC ENERGY

Atomic Energy Act amendments: Amended the Atomic Energy Act of 1954 principally to abolish the concept of a finding of practical value; clarify the procedure for preclearing antitrust review; authorize variation of disciplines in composition of atomic safety and licensing boards; and reaffirm with greater clarity the intention of the Joint Committee on Atomic Energy and of Congress underlying a provision of the Private Ownership of Special Nuclear Materials Act enacted into law as Public Law 88-489 on August 26, 1964. Public Law 91-560.

Atomic Energy Commission authorization, 1971: Authorized \$2,290,907,000 for fiscal year 1971 (\$2,013,307,000 for operating expenses and \$277,600,000 for plant and capital equipment). Public Law 91-273.

Atomic Energy Commission supplemental authorization, 1971: Provided a supplemental authorization of \$25.5 million for the construction at various locations of improvements to further enhance fire protection, safety, and operating conditions of the Atomic Energy Commission's nuclear weapons production and research facilities. Public Law 91-580.

Western Interstate Nuclear Compact: Gave congressional consent and approval to a compact between the States of Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming to enter the western interstate nuclear compact. Public Law 91-461.

CONGRESS

Joint committee on the environment: Provides for the establishment of a Senate-House Joint Committee on the Environment to improve congressional capacity for gathering relevant information on present and emerging environmental problems and to create a well-staffed congressional institution that can make a continuing assessment of the relationship between man and his environment. H.J. Res. 1117. P/H 5/25/70. P/S amended 11/24/70. In conference.

Legislative Reorganization Act of 1970: Improved the operation of the legislative branch of the Federal Government by revising procedures of Congressional Committees; permitting recording of quorum calls and teller and roll call votes in the House of Representatives; changing the name of the Senate Banking and Currency Committee to that of "Committee on Banking, Housing and Urban Affairs" and adding to its jurisdiction "Urban Affairs generally; creating a Senate Committee on Veterans' Affairs; making changes respecting assignments to Senate Committees; providing for standardization and means for making available to Congress budgetary, fiscal and related data; designating the Legislative Reference Service in the Library of Congress as the Congressional Research Service and expanding its functions; creating a Joint Senate-House Committee on Congressional Operations to make a continuing study of the or-

ganization and operation of Congress and establishing under that committee's supervision, an Office of Placement and Office Management; forming a Capitol Guide Service to give the public free guided tours of the Capitol; providing that in non-election years, Congress shall have a summer August recess; authorizing the construction of a dormitory and school for Congressional pages; and making additional improvements. Public Law 91-510.

Library of Congress—James Madison Memorial Building: Increased from \$75 million to \$90 million the authorization contained in the Act of 1965 providing for the construction of the third Library of Congress Building to be known as the James Madison Memorial Building. Public Law 91-214.

Library of Congress—Office Equipment and Furniture: Transferred from the Architect of the Capitol to the Librarian of Congress the authority to purchase office equipment and furniture for the Library of Congress. Public Law 91-280.

Library of Congress Security: Extended the present authority of the Librarian of Congress for policing its buildings to embrace the rental space it utilizes at certain other locations in Washington, D.C. Public Law 91-281.

Senate Office Space: Authorizes the Architect of the Capitol to acquire the Plaza Hotel property in square 724 in the District of Columbia to be held to meet future Senate office needs. S. 3594. P/S 5/21/70.

CRIME—JUDICIARY

Additional district judges: Provided for the creation of 58 new permanent district judgeships throughout the United States and made amendments to the Judicial Code to enable the Federal courts more efficiently and expeditiously to handle their business. Public Law 91-272.

Admission to residential community treatment centers: Authorized the Attorney to admit to residential community treatment centers persons placed on probation, released on parole, or mandatorily released. Public Law 91-492.

Bankruptcy act amendments: Amended the Bankruptcy Act to authorize the bankruptcy courts to determine dischargeability. Public Law 91-467.

Circuit court executives: Improved the administration of justice in the Federal appellate courts by providing for the appointment of a circuit court executive for each judicial circuit. H.R. 17901. Public Law 91—

Civil rights commission authorization: Increased the annual authorization of the Civil Rights Commission from \$2,650,000 to \$3,400,000 for each fiscal year, beginning with fiscal year 1970, and ending with January 1, 1973, the termination date of the Commission, to reflect statutory pay increases and other increases in expenses; increased the per diem amount payable to Commission members and consultants from \$75 to \$100; amended the Civil Rights Act of 1957 to provide that any person defamed, degraded, or incriminated by a Commission report shall be provided an opportunity to answer the charges or allega-

tions contained therein. Public Law 91-521.

Comprehensive Drug Abuse Prevention and Control Act: Provided additional authority for Federal programs of rehabilitation of dangerous drug abusers and the prevention of drug abuse through education; amended the Community Mental Health Centers Act to increase appropriation authorizations to \$40 million, \$60 million and \$80 million for fiscal years 1971, 1972, and 1973, respectively, for rehabilitation centers, and expanded the scope of this program to include, in addition to narcotic addicts, persons with drug abuse and drug dependence problems; authorized a program of grants for drug abuse education, and provided authorizations of \$3 million, \$12 million and \$14 million for fiscal years 1971, 1972, and 1973, respectively; authorized a program of grants for special projects for treating and rehabilitating addicts or drug dependent persons and authorized therefor \$20 million, \$30 million, and \$35 million for fiscal years 1971, 1972, and 1973, respectively; provided construction and staffing grants to Federal institutions for up to 100 percent of the cost for expansion of treatment and research programs and facilities concerned with addition, drug abuse or drug dependence; established five basic schedules of substances subject to varying degrees of control, and established criteria for classification of substances; authorized the Attorney General to control and classify dangerous substances; authorized registration of manufacturers, distributors and dispensers of controlled substances; revised offenses and penalties for drug offenses; provided for "no-knock" search warrant authority under certain circumstances; established a Commission on Marihuana and Drug Abuse; established regulations and controls and registration in connection with importation and exportation of certain dangerous substances; and contained other provisions. Public Law 91-513.

Congressional assassination, kidnap or assault: Made it a Federal offense to kill or kidnap any Member of Congress or Member-of-Congress-elect, to attempt or to conspire to commit such offenses, or to assault such an individual. S. 642. P/S 10/8/70. H.R. 17825. Public Law 91—

Controlled Dangerous Substances Act: A comprehensive measure providing for Federal regulation and control over defined "controlled dangerous substances" to help manage the drug abuse problem and criminal traffic in drugs on the international, national and State levels. S. 3246. P/S 1/28/70. (Many of the provisions of S. 3246 are contained in H.R. 18583, the Comprehensive Drug Abuse Prevention and Control Act, which became Public Law 91-513.)

Copyright protection extension: Continued until December 31, 1971, the renewal term of any copyright subsisting on the date of this resolution, or the term as previously extended by Public Law 87-668, Public Law 89-442, Public Law 90-141, Public Law 90-416, and Public Law 91-147. S.J. Res. 230. Public Law 91—

Court leave for employees of the United States and the District of Columbia:

Alleviated financial hardship now imposed on employees of the United States and of the District of Columbia resulting from their service as a witness, a juror or an official representative from the agency they serve. Public Law 91-563.

Criminal Appeals Act Amendments: Designed to resolve serious problems which frequently have arisen with respect to the right of the United States to appeal rulings which terminate prosecutions other than by judgments of acquittal, or which grant motions to suppress evidence before trial or in subsequent proceedings ancillary to the trial, and to further that purpose amends the Criminal Appeals Act. S. 3132. P/ 10/8/70. H.R. 17825. Public Law 91—

Criminal Justice Act amendments: Amended the Criminal Justice Act of 1964 (relating to representation of defendants financially unable to obtain an adequate defense in criminal cases in United States courts), by expanding its coverage from the arrest stage to appeals, post-conviction proceedings, and ancillary proceedings related to the criminal trial; provides for the creation of Federal defender offices operating under the guidance of the district and appellate courts, but independent of both the Federal judicial and prosecution systems; and changes various other provisions to improve the operation of the act. Public Law 91-447.

Criminal Justice Act proceedings—transcripts: Amended title 28 of the United States Code, section 753, to authorize payment by the United States of fees charged by court reporters for furnishing certain transcripts in proceedings under the Criminal Justice Act. Public Law 91-545.

Customs Courts Act: Modernized procedures in the Customs Court and related administrative processes in the Bureau of Customs. Public Law 91-271.

District court sites: Provided for holding district court for the Eastern District of New York at Westbury, New York; provided that the district court for the District of Maryland shall sit at one additional site at a location in Prince Georges County; provided for holding district court for the Western Division of the Southern District of Mississippi at Natchez and Vicksburg; and provided for holding district court for the Southern Division of the Southern District of Mississippi at Biloxi and Gulfport. Public Law 91-546.

Executive Protective Service: Changed the name of the White House Police force to the Executive Protective Service; placed the force under the direction of the Director of the U.S. Secret Service; increased the scope of the Protective Service's duties to include protection of foreign diplomatic missions located in the metropolitan area of the District of Columbia and such other areas of the United States, its territories, and possessions, as the President, on a case-by-case basis, may direct; and provided that the size of the new Executive Protective Service may consist of up to 850 members. Public Law 91-217.

Expediting Act amendments: Amends the Expediting Act so as to require that final judgments and interlocutory or-

ders in certain civil antitrust cases, if appealed, be heard by the circuit court of appeals and provides that appeal from a final judgment in a civil antitrust action brought by the United States shall lie directly to the Supreme Court on a finding that immediate consideration of the appeal by the Supreme Court is of general public importance in the administration of justice by order of the district judge upon application of a party. H.R. 12807. P/H 7/6/70. P/S amended 9/25/70. In conference.

Explosives—illegal use, transportation or possession: Amends the Federal criminal explosives statute by broadening its scope, improving its effectiveness, and increasing its penalty provisions. S. 3650. P/S 10/8/70. (Text also contained in H.R. 17825, the Omnibus Crime Control Act, as it passed the Senate amended 10/8/70.)

Federal Youth Corrections Act: Amended the Federal Youth Corrections Act to permit examiners to conduct interviews with youth offenders. Public Law 91-339.

Great seal use: Protected the great seal of the United States and the Presidential and Vice Presidential seals against misrepresentation, misuse and commercial exploitation; authorized Secret Service protection of visiting heads of foreign states or foreign governments and, at the direction of the President, Secret Service protection of other distinguished foreign visitors to the United States performing special missions abroad. H.R. 14645. Public Law 91-

Immigration and Nationality Act amendments: Facilitated the entry into the United States of certain classes of non-immigrant aliens and altered the provisions of the Act regarding the applicability of the 2-year foreign residence requirement for aliens in the United States as exchange visitors. Public Law 91-225.

Immigration and Nationality Act amendments: Struck from section 213 of the Immigration and Nationality Act the requirement that cash accepted by the Attorney General, under his discretionary authority to admit certain excludable aliens upon the giving of a bond or posting of cash, be deposited in the postal savings system and provided instead that the cash received as security on bonds be deposited in the Treasury with interest thereon payable at a rate not to exceed 3 percent per annum. Public Law 91-313.

Interstate Agreement on Detainers: Provided that the Interstate Agreement on Detainers be enacted into law and entered into by the United States on its own behalf and on behalf of the District of Columbia. H.R. 6951. Public Law 91-538.

Jurisdiction of U.S. courts—Contract Claims: Provided courts of the United States with jurisdiction over contract claims against the following nonappropriated fund activities: Army and Air Force Exchange Service; Navy, Marine Corps, and Coast Guard exchanges; and exchange councils of the National Aeronautics and Space Administration and required that the United States be reimbursed for any judgments it pays as a result of a contract claim against one of

the specified instrumentalities of the United States. Public Law 91-350.

Jury Duty Summonses: Eliminated needless effort in the serving of summonses for jury duty by authorizing the clerk or the jury commission, or their authorized deputies, to mail summonses for jury duty. Public Law 91-543.

Metlakatla Indian community, Alaska—Jurisdiction over crimes and offenses: Restored to the Alaska Indians of the Metlakatla Indian Community the self-government they possessed prior to the enactment of Public Law 85-615. Public Law 91-523.

Mississippi district court:

Provided for holding terms of the United States District Court for the Southern District of Mississippi at Gulfport, Mississippi. Public Law 91-546.

Provided for holding terms of the United States District Court for the Western Division of the Southern District of Mississippi at Natchez, Mississippi. H.R. 18126. Public Law 91-546.

Newspaper Preservation Act: Provided, under certain conditions, for exempting from the antitrust laws, price fixing, profit pooling, and market division by competing newspapers if not more than one newspaper involved is a newspaper other than one "in probable danger of financial failure" or at the time a joint newspaper operation was entered into not more than one of the newspapers involved "was likely to remain or become a financially sound publication." Public Law 91-353.

Nominations (Action by roll call vote): Harry A. Blackmun to be an Associate Justice of the Supreme Court of the United States: Nomination confirmed 5/12/70 (94-0).

George Harrold Carswell to be an Associate Justice of the Supreme Court of the United States: Nomination rejected 4/8/70 (45-51).

Admiral Thomas H. Moorer to be Chairman of the Joint Chiefs of Staff for a term of two years: Nomination confirmed 6/17/70 (78-2).

Omnibus Crime Control Act: Made a variety of amendments to title I of the Omnibus Crime Control and Safe Streets Act of 1968 (Public Law 90-351) that established the Law Enforcement Assistance Administration; authorized appropriations of \$650 million for fiscal year 1971, \$1.15 billion for fiscal year 1972, and \$1.75 billion for fiscal year 1973; revised the administrative management of the Law Enforcement Assistance Administration; relaxed in defined areas on a showing of need the matching requirements for discretionary and block grants; relaxed certain of the restrictions on the use of grant funds for salaries; authorized waivers of the mandatory requirement that specified percentages of State planning funds be made available to local units; revised the provisions under which a part of each State's block action grant must be made available to local units; provided that each State must allocate an adequate share of the benefits of title I block grant funds to areas characterized by high law enforcement activity; provided for State contribution, on an aggregate basis, to the local share of funding; established a new program for the construction, acquisition, and renovation of correctional facilities and programs;

expanded the law enforcement education programs; made numerous changes in the administrative provisions of title I of the Act designed to increase the operational efficiency and staff capability of the Administration; and provided for an overall Attorney General's Annual Report on Federal Law Enforcement and Criminal Justice Assistance Activities, which would bring together information from crime control and related programs throughout the Government. The Act also provided stricter sentences for criminals using firearms in the commission of felonies; authorized appeals in certain classes of criminal cases; provided Federal protection to Members of Congress against assassination and assault; provided Federal protection for the President in his travels and his temporary residences; and reestablished and strengthened the Federal Commission on Wiretapping. H.R. 17825. Public Law 91-

Organized Crime Control Act: Embodied a comprehensive, integrated program designed to deal with the menace of organized crime in the United States; established, in addition to regular grand juries, special grand juries to sit in major population areas or elsewhere by designation of the Attorney General; unified and expanded existing Federal law dealing with the granting of immunity from self-incrimination in legislative, administrative, and court proceedings; dealt with recalcitrant witnesses; created a new false declaration provision applicable in grand jury and court proceedings; authorized the Attorney General to protect and maintain Federal or State organized crime witnesses and their families; authorized, subject to constitutional safeguards, the taking of depositions in criminal cases; provided a statute of limitations on determining the derivative evidentiary consequences of law enforcement conduct; respecting syndicated gambling—contained special findings dealing with the effect of such gambling on interstate commerce, made it unlawful to engage in a scheme to obstruct the enforcement of State law to facilitate an "illegal gambling business," as defined, or to engage in the operation of such a business, and provided penalties for violations, as well as providing electronic surveillance in aid of enforcement of these prohibited "business" activities; established, effective in 2 years, a Presidential Commission to conduct a comprehensive review of present Federal and State gambling law enforcement policies and their alternatives; made unlawful certain "racketeering activity" and provided penalties for violations; and provided for increased sentencing (up to 25 years) for defined dangerous adult special offenders; established Federal controls over the interstate and foreign commerce of explosives and provided penalties for violations; and established, effective in 2 years, a National Commission on Individual Rights to study and review Federal laws and practices relating to special grand juries and special offender sentencing authorized under this act, wiretapping and electronic surveillance, bail reform, and preventive detention, no-knock search war-

rants, and the accumulation of data on individuals by Federal agencies as authorized by law or acquired by executive action. Public Law 91-452.

Protection of the President: Designed to protect the physical safety of the President and the orderly functioning of his office by extending additional Federal protection for certain conduct to his specifically designated temporary residences and offices and to posted, cordoned off, or otherwise restricted areas where he is or will be visiting. S. 2896. P/S 10/8/70. H.R. 17825. Public Law 91-452.

Puerto Rico District Court jurisdiction: Continued the jurisdiction of the United States District Court for the District of Puerto Rico over certain cases pending in that court on June 2, 1970. Public Law 91-450.

United States land titles: Amended section 355 of the Revised Statutes, as amended, to provide that the Attorney General is to be responsible for the approval of the sufficiency of titles to land acquired by the United States; to preserve the existing law permitting the Tennessee Valley Authority to approve land titles as to land acquired by that Authority; and for other purposes. Public Law 91-393.

Voting Rights Act extension: Extended the Voting Rights Act of 1965 for 5 years; extended the suspension of literacy tests and of other tests and devices to all states; limited residence requirements for voting in presidential elections by establishing nationwide, uniform standards for such elections; and lowered the voting age to 18 in Federal, State and local elections. Public Law 91-285.

War Claims Act amendments: Altered the existing order of payments under the War Claims Act of 1948 to provide that the next payments out of the War Claims Fund should be made to nonprofit organizations operated exclusively for the promotion of social welfare, religious, charitable or educational purposes up to the full amount of the unpaid balance of their award, and payments thereafter made on the unpaid balances due to individual and corporate claimants up to a maximum of \$35,000, and to provide that the last priority would go to individual and corporate claimants whose unpaid balances exceed \$35,000. Public Law 91-571.

West Virginia District Court: Provides for the holding of the United States District Court for the Northern District of West Virginia at Morgantown, West Virginia. S. 4262. P/S 12/10/70.

Air evacuation patients: Authorized subsistence, without charge, to officers of the uniformed services, civilian Government employees, and dependents, who are air evacuation patients. Public Law 91-481.

Boy Scouts World Jamboree: Authorized the Secretary of Defense to lend Army, Navy, and Air Force equipment and provide transportation and other services in support of the world jamboree of Boy Scouts to be held in Japan in 1971. Public Law 91-539.

Civil Defense Act: Amended the Federal Civil Defense Act of 1950 to extend from June 30, 1970, to June 30, 1974, the President's standby authority to deal with the effects of an enemy attack upon this Nation. Public Law 91-299.

Coast Guard authorization, 1971: Authorized \$100 million for the Coast Guard for fiscal year 1971 (\$62,295,000 for vessels, \$12,865,000 for aircraft, and \$24,840,000 for shore facilities and aids to navigation and pollution control equipment). Public Law 91-261.

Coast Guard officers—Interservice transfers: Place the Coast Guard on the same parity as their counterparts in the military departments by providing that Coast Guard officers be included within the stipulation that the President may, within authorized strengths, transfer any commissioned officer with his consent from his service branch to, and appoint him in, another service branch. Public Law 91-392.

Coast Guard omnibus: Revised titles 14, 10 and 37 of the United States Code to make more uniform the laws relating to the Coast Guard and the other Armed Forces. Public Law 91-278.

Coast Guard Reserve laws: Modified the law affecting the Coast Guard Reserve to meet the particular problems of the Coast Guard and to conform more closely to practices obtaining in the other Armed Services. Public Law 91-402.

Command of the U.S.S. "Constitution" by retired U.S. Navy officers: Provided that a retired officer of the U.S. Navy may command the U.S.S. "Constitution," a historic naval vessel maintained "in commission, active status," and permanently berthed at the Boston Naval Shipyard. Public Law 91-394.

Cost-of-living allowances: Affirmed the computation of overseas cost-of-living allowances for uniformed services personnel; and validated the existing system which breaks down overseas cost-of-living allowances into two parts, one for housing and another for elements of the cost of living except housing. Public Law 91-486.

Defense Production Act extensions: (See Economy and Finance.)

Disposals from national and supplemental stockpiles: Authorized disposal from the national and supplemental stockpiles of various materials, as follows:

Asbestos: Chrysotile, 2,844 short tons. Public Law 91-329.

Bauxite: Surinam-type metallurgical grade, 2,600,000 long dry tons. Public Law 91-326.

Bismuth: 300,000 pounds. Public Law 91-318.

Cadmium: 4,180,000 pounds. Public Law 91-314.

Castor oil: 18,500,000 pounds. Public Law 91-319.

Chromite: Refractory grade, 826,000 short dry tons. Public Law 91-328.

Cobalt: 40,200,000 pounds. Public Law 91-317.

Corundum: 1,952 short tons. Public Law 91-330.

Fluorspar: Acid grade, 212,637 short dry tons. Public Law 91-320.

Graphite: Natural Ceylon amorphous lump, 386 short tons. Public Law 91-327.

Magnesium: 12,000 short tons. Public Law 91-321.

Manganese, Type A: Chemical grade, 111,900 short dry tons. Public Law 91-322.

Manganese, Type B: Chemical grade, 65,800 short dry tons. Public Law 91-323.

Manganese Ore: Natural battery grade, 173,800 short dry tons. Public Law 91-331.

Molybdenum: 3,500,000 pounds. Public Law 91-333.

Shellac: 4,300,000 pounds. Public Law 91-324.

Tungsten: 100 million pounds. Public Law 91-325.

Headstones or markers for medal of honor recipients: Authorized the furnishing of headstones to mark the graves of Medal of Honor recipients regardless of the character of the discharge granted for their last term of service. Public Law 91-396.

Leave for uniformed services members in hostile fire areas: Extended until June 30, 1972, the authority to grant a special 30-day leave for members of the uniformed services who voluntarily extend their tours of duty in hostile fire areas. Public Law 91-302.

Marine Corps band: Removed the restrictions on the grades of the director and assistant director of the Marine Corps band (now limited to lieutenant colonel and captain, respectively) to eliminate an inequity in their promotion opportunities. Public Law 91-197.

Marine Corps officers: Permitted adjustment of the dates of rank for Marine Corps major generals on the same basis that obtains for major generals in the Army and Air Force. Public Law 91-491.

Memorial services: Provided for the furnishing of a flag and a reimbursement allowance for memorial services to be paid to next of kin in cases where the remains of certain deceased members of the Armed Forces are not recovered. Public Law 91-487.

Military allowances: Restored the family separation allowance to approximately 47,000 service families whose entitlement to the \$30 monthly allowance was terminated on December 1, 1968, as a consequence of a ruling by the Comptroller General of the United States. Public Law 91-529.

Extended the payment of a family separation allowance (\$30 a month) to a member of a uniformed service whose dependents occupy Government quarters, and who is otherwise entitled to such an allowance. Public Law 91-533.

Provided a family separation allowance of \$30 a month to any member of a uniformed service, with dependents, who is in a "missing status" on or after February 28, 1961, within the meaning of such term as defined in section 551(2) of title 37, United States Code, during the period he is in that status, if he is not otherwise entitled to this allowance because of military grade or residence of his dependents. Public Law 91-534.

Military claims: Provided that the authority for payment of military claims under title 10 of the United States Code be increased to \$15,000, the amount authorized for foreign claims. Public Law 91-312.

Military construction authorization, 1971: Provided construction and other related authority for the military departments, and the office of the Secretary of

Defense, within and outside the United States, and authority for construction of facilities for the Reserve components in the total amount of \$1,667,154,000. Public Law 91-511.

Military procurement authorization, 1971: Authorized appropriations of \$12,493,489,000 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles; \$7,101,600,000 for research, development, test, and evaluation; and \$334,000,000 for military construction authority for the Safeguard antiballistic missile system; continued the authority for merging military assistance financing for South Vietnam and other free world forces and local forces in Laos and Thailand with the funding of the Department of Defense; authorized the personnel strengths for fiscal year 1971 for the Selected Reserve of each of the Reserve components of the Armed Forces; imposed certain limitations with regard to specific procurement actions; and contained other provisions. Public Law 91-441.

Naval flight officers' command: Permitted naval flight officers, in addition to naval aviators, to be eligible for command of naval aviation schools, air stations, or aviation units organized for flight tactical purposes; provided eligibility for similar Marine Corps commands by naval flight officers of the Marine Corps. Public Law 91-198.

Naval vessel loans: Authorized the following: extension, for an additional 5 years, of loans of two submarines originally loaned under previous congressional authorization, one to Greece and one to Pakistan; new loans of two destroyer escorts to the Republic of Vietnam, and two destroyers and two submarines to Turkey; extension of the existing loans and the making of new loans for periods of 5 years; and an additional 5-year extension of these loan agreements, at the President's discretion. H.R. 15728. Public Law 91-.

Officers' pay: Provided that enlisted members of a uniformed service who accept appointments as officers or warrant officers shall not receive less than the pay and allowances to which they were previously entitled in their enlisted status. Public Law 91-484.

Power of attorney executed by an Armed Forces member missing in action or held as a prisoner of war: Extends the expiration date in a power of attorney executed by a member of the armed services missing in action or held as a prisoner of war to enable the wife or any other person designated as attorney in fact for the serviceman in a missing status, to continue to manage the private affairs for the family or for the services. S. 3795. P/S 9/28/70.

Savings deposit program for certain uniformed services members: Removed the \$10,000 limit on deposits which may be made to the Uniformed Services Savings deposit program in the case of any uniformed services member who is a prisoner of war, missing in action, or in a detained status during the Vietnam conflict. Public Law 91-200.

Selection boards: Provided that the number of active duty officers who serve on selection boards for the grades of

rear admiral to captain may be increased from the current number of nine, and removed the requirement that members of selection boards for nonactive duty promotions have a permanent grade higher than those being considered for promotion. Public Law 91-199.

Transportation to home ports: Entitled a member of the Navy, Coast Guard, or Environmental Science Services Administration, whose dependents are residing at his home port to round trip transportation to the home port where he is permanently attached to a ship overhauling away from the home port. Public Law 91-210.

United States flags—presentation to parents of deceased servicemen: Provided that United States Flags may be presented to parents of deceased servicemen, in addition to flags presented to the surviving spouse or next of kin. Public Law 91-397.

War claims act amendments: Authorized payment to members of the Armed Forces captured and held prisoner by the forces of North Vietnam, and to persons captured by North Korea while assigned to duty on board the U.S.S. "Pueblo", for the period of their captivity at the rate of \$5 per day of captivity, and provided for payment to civilian American citizens held by the forces of North Vietnam at the rate of \$60 per month. Public Law 91-289.

DISTRICT OF COLUMBIA

Adoption proceedings: Amended the District of Columbia Code so as to eliminate the requirements of consent to a proposed adoption from the father of a prospective adoptee born out of wedlock unless the birth is subsequently legitimized according to the laws of the District. Public Law 91-488.

Alcoholic Beverage Control Act Amendments: Amended the Alcoholic Beverage Control Act respecting authority of the Alcohol Beverage Control Board to issue summons to secure testimony of witnesses in connection with enforcement; use of facilities of licensees, employment of persons by licensees in their businesses; classification of beverages; places of storage; prohibition of certain credit transactions; and allowing restaurants operating on the premises of a facility which has as its principal purpose the presentation of the performing arts to sell alcoholic beverages to seated or standing persons. Public Law 91-535.

Anatomical Gift Act: Provided in the District of Columbia a comprehensive and uniform legal environment for organ donation and transplantation consistent with the recommendations of the National Conference of Commissioners on Uniform State Laws made in 1968. Public Law 91-268.

Bail Agency Act: Removed the ceiling of \$130,000 on the annual authorization of appropriations for the District of Columbia Bail Agency. Public Law 91-232.

Blood components transfer: Authorized the Commissioner of the District of Columbia to determine that blood platelets and other blood components in general use in the States may be transferred from local licensed blood banks

in which they are produced to licensed physicians, District of Columbia hospitals, and licensed private hospitals and other medical facilities within the District, thereby placing the District in the same position as the States. Public Law 91-256.

Cooperative Association Act Amendments: Exempted from the District of Columbia laws regulating the loaning of money and interest rates cooperative associations formed under the District of Columbia Cooperative Association Act and their financing transactions with members. Public Law 91-385.

Court Reform and Criminal Procedure Act: Completely reorganized the present court system in the District of Columbia, including provision for a local court system for the adjudication of all local criminal and civil matters, and added a number of new judgeships, as well as providing for modern court administration; transformed the Legal Aid Agency into a Public Defender Service; expanded the Bail Agency and enabled it to make recommendations to the courts on the full range of pretrial release conditions and to supervise persons released on non-financial conditions; replaced the existing three-judge juvenile court with an expandable Family Division; established a modern juvenile code; made various changes in criminal procedure and provided revisions in sentencing practice, including new sentencing alternatives for habitual criminals; contained an improved wiretapping and electronic surveillance law; provided for no-knock search warrants under certain conditions; permitted a pretrial detention alternative for certain dangerous defendants; authorized an additional \$5 million Federal payment to the District of Columbia to defray the first-year costs of court reorganization and to aid in the payment for other crime control provisions of the legislation; and made other reforms. Public Law 91-358.

Criminal Code Amendments: Amends statutes relating to the possession of certain dangerous weapons and interference with firemen in the performance of their duties; and authorizes the Commissioner of the District of Columbia to enter into the Interstate Parole and Probation Compact. S. 3749. P/S 10/13/70.

Delegate to House of Representatives—Commission on D.C. Organization: Provided a 12-member District of Columbia Government study commission, said Commission to report to Congress within 12 months those changes necessary in the organization and practices of the District Government to promote economy, efficiency, and improved municipal services; provided a nonvoting Delegate to the U.S. House of Representatives from the District of Columbia, said Delegate to be chosen biennially by the qualified voters of the District; and made technical amendments to the election laws of the District. Public Law 91-405.

Estates—settlement: Updates and modifies procedures dealing with the settlement of estates in the District of Columbia. S. 3747. P/S 10/13/70.

Exemption from Attachment of Wages for Nonresidents of the District of Co-

lumbia: Eliminated a practice involving the attachment of wages of nonresident debtors through actions initiated in the District of Columbia courts whereby creditors, by suing in the District, have been able to evade an exemption that may be granted to a nonresident debtor by the laws of the State in which he resides. Public Law 91-475.

Fees: Vests authority in the District of Columbia Council, after public hearing, to set a variety of municipal fees, including fees for certain licenses and permits. S. 3906. P/S 8/13/70.

Fraud—Strengthened laws: Strengthened the provisions of certain criminal laws in the District of Columbia relating to persons who defraud hotel, motel, or other commercial lodging proprietors by means of forgery, issuance of bad checks, or by departing without payment for goods or services received. Public Law 91-497.

Freeway airspace utilization: Authorizes the Commissioner of the District of Columbia to lease airspace above and below freeway rights-of-way within the District of Columbia to allow fuller utilization of space by making available for private and public purposes such airspace as will not impair the full and safe use of freeways. S. 3647. P/S 7/30/70.

Health services improvement: Improves health services and regulatory functions of the Public Health Department of the District of Columbia; authorizes commitment of mentally ill persons, previously sent only to public hospitals, to other equally suitable health facilities; eliminates duplication of inspection of milk producers and dairy farms; provides for mandatory tuberculin testing of all children entering school for the first time; and contains other provisions. S. 3648. P/S 7/30/70.

Housing revolving fund and unclaimed property: Establishes a revolving fund for the development of housing for low- and moderate-income persons and families in the District of Columbia and provides for the disposition of unclaimed property in the District. S. 3011. P/S 5/13/70.

Industrial safety act amendments: Provides for a more general application of the rules and regulations of the safety code of the District of Columbia to protect employees and restores the jurisdiction of the Industrial Safety Board to enforce the code. S. 2820. P/S 5/5/70.

Interstate agreement on qualification of educational personnel: Allows the District of Columbia to enter into contracts which should reduce or eliminate duplication of administrative effort in checking teacher records already evaluated by competent authorities in the States. S. 3944. P/S 10/12/70.

Joint tenancies—elimination of straw party deeds: Eliminated the common law requirement, which is presently applicable in the District of Columbia, that creation of a joint tenancy in real property by act of one of the parties thereto, must be accomplished through a third, or so-called straw, party. Public Law 91-530.

Liability of hotels: Revised certain civil laws in the District of Columbia Code relating to the liability of commercial lodging proprietors for the property of

their guests or patrons; the lien rights of such business establishments as to the property of their guests and patrons; and procedures for the disposal of unclaimed personal property left with such lodging operators. Public Law 91-537.

Metropolitan Area Transit Act: Grants congressional consent to the public acquisition and operation of mass transit bus facilities in the Washington metropolitan area and authorizes payments by the District of Columbia government to assist in maintaining reasonable fares for District residents. S. 1814. P/S 4/15/70.

Metropolitan Police Department Band: Permits members of the District of Columbia Fire Department, the White House Police force, and the United States Park Police force to be detailed by the District of Columbia Commissioner, the Secretary of the Treasury, and the Secretary of the Interior, respectively, to participate in the activities of the Metropolitan Police Department Band. H.R. 9551 P/H 7/28/69. P/S amended 12/30/70.

Mortgages and loans: Temporarily permits, through March 31, 1971, mortgages insured by the Federal Housing Administration and the Veterans' Administration to be made in the District of Columbia even when the effective rate of interest therein exceeds the 8 percent ceiling provided in the District's interest and usury laws. S. 3313 P/S 4/1/70.

Pay Increase for Police, Firemen and Teachers: Increased by an average of 13 percent retroactive to July 1, 1969, the salaries of police and firemen and Executive Protective Service personnel; increased by an average of 13 percent, retroactive to September 1, 1969, teachers' salaries; revised the personal income tax of District of Columbia residents; authorized a special Federal payment of \$8 million to the District to help defray the costs of the pay increases; and made other changes in existing law. Public Law 91-297.

Pensions for widows of retired policemen and firemen: Provided that the widow of a retired officer or member of the Metropolitan Police Department or the Fire Department of the District of Columbia who married such an officer or member after his retirement may qualify for survivor benefits under the Policemen's and Firemen's Retirement and Disability Act. Public Law 91-532.

Policemen and Firemen's Retirement and Disability Act Amendments: Provided increases in retirement benefits for officers and members retiring under the Policemen and Firemen's Retirement and Disability Act, as well as increases in benefits for survivors receiving or entitled to receive annuities under the Act. Public Law 91-509.

Practice of Psychology Act: Protected the public from unqualified and unethical practitioners of psychology in the District of Columbia. S. 1626. Public Law 91- .

Protective eye devices: Requires that, in certain circumstances, students, teachers and observers in the District of Columbia must wear protective eye devices. H.R. 9528. P/H 11/24/69. P/S amended 5/7/70.

Public Assistance Act Amendments: Limited those relatives required to give financial aid to recipients of public assistance to spouse for a spouse and parent for a child under age 21. Public Law 91-531.

Public day-care services: Authorizes the District of Columbia Council to prescribe, within the limits of available appropriations, regulations establishing a program to provide public day care services for the care of children whose parents are working, seeking work, enrolled in training, absent from the home, or who are for other reasons unable to provide parental supervision. S. 3010. P/S 10/12/70.

Rental of space for District of Columbia agencies and activities: Enables the District of Columbia government to more efficiently lease privately owned space in buildings or in improved or unimproved property for the accommodation of District agencies and activities. S. 3649. P/S 7/1/70.

Revenue: Provided for an annual Federal payment authorization of \$126 million; increased the ceiling on the general fund and named special funds to provide a total borrowing authority of \$843 million for 1971 and \$845 million for 1972; provided for increased revenues through increased fees for operation of certain trucks, sales and use tax on rental of textiles and authority of the District of Columbia Council to set water and sewer fees; amended the District of Columbia minimum wage act; included Washington Technical Institute with Federal City College for the purpose of receiving land-grant college funds in the District. S. 3903. Public Law 91- .

Snow removal: Authorizes the District of Columbia Council to make regulations requiring removal of snow and ice from paved sidewalks, with the costs of such removal to be assessed as a tax against the abutting property in case of non-compliance. S. 3748. P/S 10/13/70.

Tax exemption for international telecommunications satellite consortium: Provided complete immunity from all District of Columbia taxation for the International Telecommunications Satellite Consortium (INTELSAT), its foreign participants, and any successor organization to INTELSAT. Public Law 91-494.

Taxation of regulated investment companies: Ensures that investment companies domiciled in the District of Columbia will be accorded treatment under the laws of the District similar to that they are accorded under Federal law. Public Law 91-391.

Teachers' retirement amendments of 1970: Provided the same retirement benefits for the teachers and other professional employees of the District of Columbia Board of Education as are presently afforded the classified employees of the Federal and District of Columbia governments who retire under the Civil Service Retirement Act as amended by Public Law 91-93. Public Law 91-263.

Vacation work permits for minors: Amends the present District of Columbia law with respect to the issuance of vacation work permits to certain minors, in order to expedite and encourage the

issuance of such permits. H.R. 12671. P/H 7/28/69. P/S amended 10/12/70.

Validation of defects in land records: Validated certain deeds and acknowledgments recorded in the land records of the District of Columbia prior to January 1, 1969. Public Law 91-536.

Voluntary admission of patients to Forest Haven institution: Authorized voluntary admission of substantially retarded persons to the District of Columbia Training School, whose name is changed to Forest Haven, and required that a prerequisite to such admission be a financial arrangement with the District on behalf of such person when he or his relatives are financially able to pay for all or a part of the expenses involved. Public Law 91-490.

Water and sanitary sewer rates: Makes it possible for the District of Columbia City Council, by appropriate increases in the rates to be charged for water and sewer services, to meet operating costs and debt retirement need involved in furnishing these municipal services and leaves the setting of water and sewer rates to the Council on the basis of recommendations by the Commissioner. S. 3905. P/S 8/13/70.

ECONOMY AND FINANCE

Bank holding companies; Eisenhower silver dollar: Modified the Bank Holding Company Act of 1956 to bring one bank holding companies under Federal regulation and to permit bank holding companies to engage in activities which are "so closely related to banking as to be a proper incident thereto"; provided for exemptions; contained an anti-tie-in provision; gave standing to competitors of bank holding companies and others to enter proceedings as parties in interest; and amended the Coinage Act of 1965 to provide (1) phasing out by January 1, 1971, of the use of silver in half dollars and authorizing a cupro-nickel 50-cent coin of the same composition as the quarter and the dime; (2) minting of a new cupro-nickel-clad coin of \$1 denomination for general circulation, bearing the likeness of the late President Dwight David Eisenhower, and, on the other side, a design emblematic of the symbolic Eagle to Apollo 11 landing on the moon; and (3) transfer of 3 million rare coins from the Treasury to the General Services Administration (GSA) for sale to the public, and (4) minting of 150 million of the new \$1 pieces to be 40 percent silver content. Public Law 91-607.

Consumer Products Warranty Guaranty Act: Requires a supplier of a consumer product or service actually costing more than \$5 who decides to warranty or guaranty to his product against defect or malfunction to follow certain guidelines; requires a clear and conspicuous disclosure of the contents of warranties and guaranties; and provides remedies for failure to comply with certain provisions of the legislation. S. 3074. P/S 7/1/70.

Credit unions:

Federal share insurance: Provided a Federal system of share insurance for savings in credit unions and the regulatory authority necessary to operate such a share insurance system; provided

mandatory coverage for federally chartered credit unions, for State-chartered credit unions, and for credit unions operating under the Department of Defense jurisdiction if they elect to be covered and agree to comply with the requirements of the program; changed regular reserve requirements of Federal credit unions; authorized Federal credit unions to invest in other insured credit unions; and authorized certain Federal credit unions serving low-income persons to accept funds from non-members. Public Law 91-468.

Independent agency status: Elevated the Bureau of Federal Credit Unions in the Department of Health, Education and Welfare to the status of an independent agency in the executive branch to be known as the "National Credit Union Administration" and created a National Credit Union Board to consist of a chairman and one member from each of the Federal credit union regions. Public Law 91-206.

Defense Production Act extension; standby wage, price, salary and rent controls: Extended the Defense Production Act until June 3, 1972; provided for the establishment of uniform cost accounting standards for certain defense contracts to be promulgated by a five member Cost-Accounting Standards Board appointed by the Comptroller General who would be designated as Chairman of the Board; limited loan guarantees under the Act to a maximum of \$20 million per contractor, except with congressional approval; and gave the President standby authority until February 28, 1971 to stabilize prices, wages, salaries, and rents at levels not less than those prevailing on May 25, 1970, except that adjustments can be made to avoid inequities. Public Law 91-379.

Defense Production Act temporary extensions:

Extended the effectiveness of the Defense Production Act of 1950 to July 30, 1970. Public Law 91-300.

Extended the effectiveness of the Defense Production Act of 1950 until August 15, 1970. Public Law 91-371.

Disaster Relief Act: Provided a permanent, comprehensive program for Federal disaster assistance; provided orderly and continuing means of alleviating suffering and damage by revising, and broadening existing major disaster relief programs, encouraging development of comprehensive State disaster plans and achieving greater coordination and responsiveness of Federal major disaster relief programs; authorized Federal agencies to assist disaster areas, including utilization or lending of personnel, facilities, supplies, equipment, and other resources to State and local governments, distribution of medicine, food and other consumable supplies and rendering of emergency services through relief and disaster assistance organizations, donation or lending of Federal surplus equipment and supplies, and performing on public or private lands or waters of any emergency work essential for the protection and preservation of life and property; provided for Federal grant-in-aid programs; provided for the formulation by the States of comprehensive plans

and programs for preparation against major disasters and their losses; authorized the provision of temporary housing or other emergency shelter, including mobile homes, for those who as a result of a major disaster require it; made changes in the Small Business disaster loan program, Farmers Home administration emergency loans, and Veterans' Administration loans; authorized sums necessary to carry out the provisions of the Act; and contained other provisions. Public Law 91-606.

Eisenhower dollar: Designed to authorize the minting of silver dollars and cupro-nickel dollars bearing the likeness of the late President of the United States Dwight David Eisenhower. S.J. Res. 158. P/S 10/15/69. P/H amended 10/15/69. Senate concurred in House amendment with an amendment in the nature of a substitute 3/19/70. H.R. 6778. Public Law 91-

Eligibility of American Samoa banks for Federal Deposit Insurance: Establishes the eligibility of the banks in American Samoa for Federal deposit insurance. S. 3366. P/S 7/1/70. H.R. 19436. P/H 12/3/70. P/S amended 12/8/70.

Emergency Community Facilities Act: Stated congressional findings on the urgent need for public facilities to provide basic safeguards for the health and well-being of our citizens, check widespread water pollution, and provide an effective and practical method of combating rising unemployment; reenacted the balance of the authorization for basic water and sewer facilities provided for in title VII of the Housing and Urban Development Act of 1965 and provided for an additional authorization of \$1 billion; and extended for 1 year (until October 1, 1971) the time within which a community may qualify for a basic water and sewer facilities grant even though its program for an area-wide system, though under preparation, has not been completed. Public Law 91-431.

Employment security amendments: Extended coverage of the unemployment compensation program to more than 4.7 million additional jobs; established a permanent program of extended benefits for people who exhaust their regular State benefits during periods of high unemployment; improved the financing of the unemployment compensation program; and made other changes to strengthen the unemployment compensation system. Public Law 91-373.

Export-Import Bank: Allows for greater expansion of the export trade of the United States by excluding Bank receipts and disbursements from the budget of the United States Government and from any annual expenditure and net lending limitations imposed thereon. S. 4268. P/S 12/18/70. Failed to pass House 12/30/70.

Federal National Mortgage Association: Clarifies the payment of certain accounts owed by the Federal National Mortgage Association (FNMA) to the Secretary of the Treasury in connection with the reorganization of the FNMA. S. 3207. P/S 1/30/70.

Foreign bank secrecy; credit cards; consumer credit reporting: Required U.S. banks and other financial institutions to

maintain records of, and make certain reports on, financial transactions; required persons who export or import currency or its equivalent in amounts greater than \$5,000 on any one occasion to file reports; required U.S. citizens to keep records of their transactions with foreign financial agencies; and extended to U.S. borrowers the restrictions on purchasing securities on margin whereas the existing law only applies to lenders; also prohibited the issuance of unsolicited credit cards except in renewal of, or in substitution for, an accepted credit card; limited consumer liability for a lost or stolen card to not more than \$50, unless there is a lesser liability under other applicable law or under an agreement with the card issuer; set penalties for unauthorized use of credit cards; also provided for fair credit reporting, by giving consumers access to all of the information in their credit files to enable them to correct inadequate or misleading information, requiring that whenever a person is turned down for credit or insurance or employment because of an adverse credit report, he must be given the name and address of the credit reporting agency; and establishing safeguards to preserve the confidentiality of credit information in credit bureau files and to protect consumers against an undue invasion of their right to privacy. Public Law 91-508.

Gold and silver content: Amended the National Gold and Silver Stamping Act to protect consumers by providing a civil remedy for misrepresentation of the quality of articles composed in whole or in part of gold or silver. Public Law 91-366.

Investment Company Act amendments: Amended the Investment Company Act of 1940 to define equitable standards governing relationships between investment companies and their investment advisers and principal underwriters; contained provisions pertaining to investment company management fees, mutual fund sales commissions and periodic payment or contractual plan sales commissions; and amended other provisions of that act and the Investment Advisers Act to update and improve their administration and enforcement. Public Law 91-547.

Public debt limit increase: Provided an increase in the permanent debt limitation from \$365 billion to \$380 billion, and provided for a temporary additional increase of \$12 billion, making an overall limitation of \$395 billion for fiscal year 1971. Public Law 91-301.

Public Works and Economic Development Act extension: Amended the Public Works and Economic Development Act of 1965 to extend the authorization of funds for titles I through IV through fiscal year 1971, and authorized to be annually appropriated \$770 million through June 30, 1971 (\$500 million for grants for public works and development facilities and \$170 million for other financial assistance; \$50 million for technical assistance research and information; and \$50 million for economic development districts). Public Law 91-304.

Purchase of U.S. obligations by Federal Reserve Banks: Extended for 1 year,

from June 30, 1970, to June 30, 1971, the authority of the Federal Reserve Banks to purchase U.S. obligations directly from the Treasury. Public Law 91-360.

Savings Bond—interest increase: Increased from 5 to 5½ percent the rate of interest payable on series E savings bonds. Public Law 91-388.

Securities Act exemption from registration for small businesses: Amended the Securities Act of 1933 to assist small businesses in raising capital by giving the Securities and Exchange Commission power by rule or regulation to increase from \$300,000 to \$500,000 the size of an offering of securities that may be made without compliance with the full registration requirements of the act. Public Law 91-565.

Securities Exchange Act—additional consumer protection: Amended the Securities Exchange Act to provide additional protection for investors by augmenting the provisions of Public Law 90-439 to encompass acquisitions of and tender offers for equity securities of insurance companies; to extend the act's full disclosure provision to acquisitions and tender offers of over 5 percent of a company's stock; to extend the substantive provisions which protect stockholders involved in cash acquisitions and tender offers to stock for stock exchange offers; to give the Securities and Exchange Commission additional rulemaking power to deal with certain types of fraudulent, deceptive, and manipulative practices; and to give the Commission rulemaking power to differentiate between control persons and issuers in applying certain requirements of section 13(e) of the Securities Exchange Act. Public Law 91-567.

Securities Investor Protection Corporation: Established the Security Investor Protection Corporation to afford financial protection for the customers of registered brokers and dealers and members of national securities exchanges, said Corporation to maintain and administer funds to provide coverage against customer losses up to a total of \$50,000, not more than \$20,000 of which can be in cash, resulting from broker-dealer firms' insolvency, which fund would initially aggregate \$75 million in lines of credit and cash raised by assessment of member firms and eventually total \$150 million composed entirely of cash; gave the Securities and Exchange Commission plenary authority over the Corporation's exercise of its powers and responsibilities. Public Law 91-598.

Silver certificates: Authorizes further adjustments in currencies outstanding issued after June 30, 1929; permits the writeoff of Federal Reserve bank and national bank notes; and removes the limitation of \$200 million on the aggregate face value of silver certificates outstanding that the Secretary of the Treasury is authorized by law to write off after he has determined that they have been lost or destroyed, or are held in collections, and will never be presented for redemption. S. 3825, P/S. 6/17/70.

Small business act amendments: Amended the Small Business Act to increase the amount of loans, guarantees, and commitments which can be out-

standing at any time from the business loan and investment fund of the Small Business Administration, and extends the Economic Stabilization Act for 1 month, through March 31, 1971. Public Law 91-558.

Authorizes the Small Business Administration (SBA) to participate in making loans with persons and organizations not normally engaged in lending activity as well as with banks and other lending institutions; authorizes the SBA to make interest subsidy grants to certain small business concerns; increases from \$25,000 to \$100,000 the limitation on economic opportunity loans; authorizes SBA to guarantee loans made by private lenders to small business investment companies; permits certain activities respecting minority enterprise by small business investment companies; gives priority to those loan applications of small business concerns which SBA determines will further the development of utilization of new methods of pollution control and provides for economic disaster loans to those small business concerns (a) forced to upgrade their facilities because of new pollution control standards or because of the requirements of the Wholesome Meat Act, or (b) which suffer from the pollution of streams; and contains other provisions. S. 4316, P/S 9/18/70.

Social security and railroad retirement benefits: Extended for 4 months the period for States to assure aged, blind, and disabled social security beneficiaries who also receive welfare an increase of at least \$4 in their combined income from social security and welfare, and accords similar treatment to increases in railroad retirement benefits which may become law in 1971. Public Law 91-306.

Unsolicited credit cards: Regulated the issuance of credit cards, created liability for unauthorized use of credit cards, and provided criminal penalties for certain unauthorized uses. S. 721, P/S 4/15/70. H.R. 16542 P/H 9/9/70. P/S amended 9/15/70. (Provisions incorporated in H.R. 15073 (Foreign Bank Secrecy; Credit Cards; Consumer Credit Reporting)—Public Law 91-508).

White House Conference on the National Economy: Declared it to be the sense of the Senate that the President should call immediately a White House conference to study and to recommend proposals to cure the Nation's present economic plight of rising inflation and widespread unemployment. S. Res. 496. Senate adopted 12/17/70.

EDUCATION

Demonstration Elementary School for the Deaf: Authorized the Board of Directors of Gallaudet College, Washington, D.C., to maintain and operate Kendall School as a demonstration elementary school for the deaf and authorized the School to provide day and residential facilities for elementary education for persons who are deaf in order to prepare them for high school and other secondary study, and to provide an exemplary educational program to stimulate the development of similar programs in the Nation. Public Law 91-587.

Drug Abuse Education Act: Provided training programs for teachers, coun-

selors, law enforcement officials, and other public service and community leaders; authorized the Secretary of Health, Education, and Welfare (HEW) to make grants to local educational agencies and other private and nonprofit organizations for community information programs on drug abuse and for community-oriented education projects; provided for technical assistance by HEW and the Justice Department to assist local educational agencies, public and private nonprofit organizations, and institutions of higher education in the development and implementation of programs on drug abuse education; and authorized \$5 million, \$10 million and \$14 million for fiscal years 1970, 1971, and 1972, respectively, for drug abuse education projects, and for community education projects, authorizations in the same amounts. Public Law 91-527.

Elementary and Secondary Education Amendments: Authorized approximately \$24.5 billion for fiscal years 1971 through 1973 for carrying out various educational programs; amended the Elementary and Secondary Education Act of 1965 (special educational needs of educationally deprived children; school library resources, textbooks, and other printed and published materials; supplementary educational centers and services; strengthening State departments of education; bilingual education programs; school dropout prevention; school nutrition and health services for children from low-income families); extended and amended impacted areas programs legislation; amended the Adult Education Act; enacted a "General Education Provisions Act" relating to the administration of education programs and the operation of the Office of Education; extended and revised provisions of present law relating to cancellation and repayment of loans under Federal student loan programs; created, as an independent act, the "Education of the Handicapped Act"; amended and extended vocational education programs; and made miscellaneous amendments to various education loans. Public Law 91-230.

Impacted Areas Aid: Authorized the Secretary of Health, Education and Welfare to make to local educational agencies emergency payments for the current school year to provide 100 percent funding for fiscal year 1970 for the education of 3-A children (children whose parents live or work on Federal property) under Public Law 874, the aid to impacted areas program; and authorized for this purpose the expenditure of \$2.5 million out of existing appropriations. Public Law 91-237.

Land-Grant Status for College of the Virgin Islands and the University of Guam: Gives land-grant status to the College of the Virgin Islands and the University of Guam and authorizes endowment grants of \$714,000 to the former and \$1,019,000 to the latter, as well as providing eligibility for annual grants to each college. S. 1148. P/S 4/15/70. H.R. 14169. P/H 3/10/70. P/S amended 12/17/70.

Library services and construction amendments: Extended programs authorized by the Library Services and

Construction Act for 5 years, through June 30, 1976, and improved the administration, implementation, and purposes of such programs; for Title I (library services) authorized \$112 million, \$117.6 million, \$123.5 million, \$129.7 million, and \$137.2 million for fiscal years 1972 through 1976, respectively; for Title II (public library construction) authorized \$80 million, \$84 million, \$88 million, \$92.5 million, and \$97 million for fiscal years 1972 through 1976, respectively; and for Title III (Interlibrary Cooperation) authorized \$15 million, \$15.8 million, \$16.5 million, \$17.3 million, and \$18.2 million for fiscal years 1972 through 1976, respectively. H.R. 19401. Public Law 91- .

National Commission on Libraries and Information Science: Established a 15-member National Commission on Libraries and Information Science as an independent agency in the executive branch to develop and recommend overall plans for carrying out the national policy with respect to libraries and information science, and authorized \$500,000 for fiscal year 1970 and \$750,000 for fiscal year 1971 and each succeeding year to carry out the provisions of the Act. Public Law 91-345.

FEDERAL EMPLOYEES

Air traffic controllers: Changes the computation factor for determining civil service retirement benefits from 1.0 to 1.4 for each year of air traffic controller service and provides that the special provision apply only to air traffic controllers and "first-line" supervisors directly supervising such controllers; makes a controller or a supervisor eligible to retire after completing 30 years of service regardless of age if he has at least 10 years of service in such a capacity. S. 3959. P/S 7/13/70.

Airport police forces pay: Increases the salaries of police officers at National Airport, Washington, D.C. and Dulles International Airport. S. 3958. P/S 9/23/70.

Central Intelligence Agency Retirement Act amendments: Made certain changes in the Central Intelligence Agency Retirement Act of 1964 which will conform to provisions enacted into law with respect to the Civil Service Retirement Act. S. 4571. Public Law 91- .

Civil service retirement: Provided that when an employee retires he may elect to take a reduced annuity and provide a lifetime survivor benefit equal to 55 percent of his reduced annuity for his spouse in the event he dies before his spouse, and increased the salary of former Presidents from \$25,000 to \$60,000. S. 437. Public Law 91- .

Civil service retirement of temporary employees: Repeals section 115 of the Social Security Amendments of 1954 to permit social security-covered service of temporary and indefinite employees in the field service of the Post Office Department, temporary and indefinite employees of the Federal Deposit Insurance Corporation, temporary census-taking employees of the Census Bureau, employees on a contract or fee basis, persons receiving nominal pay of \$12 a year or less, and patient employees in Federal hospitals to be counted under the civil

service retirement system or other retirement system for Federal employees. S. 2984. P/S 9/23/70. H. Cal.

Federal firefighters: Extended to Federal employees whose duties "are primarily to perform work directly connected with the control and extinguishment of fires or the maintenance and use of fire-fighting apparatus and equipment" the same hazardous-duty retirement provisions of title 5, United States Code, now provided for certain Federal law-enforcement officers. S. 578. Public Law 91- .

Federal Pay Comparability Act of 1970: Provided for a permanent system to adjust the salaries of civil service employees on an annual basis in accordance with pay comparability provisions of the Federal Employees Salary Reform Act of 1962; authorized the President to effectuate a pay increase on January 1, 1971 and January 1, 1972 based on the Bureau of Labor Statistics Surveys for 1970 and 1971, respectively, thereafter, annual adjustments may be made by the President effective on October 1 of each year beginning in 1972, said adjustment to be based on recommendations submitted by an agent appointed by the President and a 3-member Advisory Committee on Federal Pay; required the President to submit an annual report to Congress on Federal pay increases together with the recommendation of the President's agent and the Advisory Committee on Federal pay; and provided for the President to submit an alternative pay plan if he decides for a national economy or emergency reason that the recommendations are not in the best interest of the country. H.R. 13000. Public Law 91- .

Federal pay increases: Provided 6-percent across-the-board increases for the salaries of Federal employees who are paid under statutory salary systems (the postal field service, the general schedule of the classified civil service, the Department of Medicine and Surgery in the Veterans' Administration and the Foreign Service) and employees paid under other salary systems (legislative employees; judges of the District of Columbia, Court of General Sessions, Court of Appeals, and Tax Court; and staffs of former Presidents), except wage board employees in the legislative, executive and judicial branches of the Government; and provided a 6-percent increase to military personnel under the provisions of Public Law 90-207; made pay retroactive to the first day of the first pay period which began December 27, 1969. Public Law 91-231.

Foreign Service retirement adjustments: Brought the retirement benefits and financing of the Foreign Service Retirement and Disability System into line with those contained in legislation relating to the Civil Service Retirement System which became effective on October 20, 1969 (Public Law 91-93). Public Law 91-201.

Government Printing Office—Overtime compensation: Authorized the Public Printer to grant employees paid on an annual basis compensatory time off from duty instead of overtime pay for overtime work. Public Law 91-369.

Government Printing Office—Special policemen: Authorized the Public Printer or his delegate to designate employees of the Government Printing Office to serve as special policemen to protect persons and property in premises and adjacent areas occupied by or under the control of that office. Public Law 91-359.

Health benefits: Increased the amount to be paid by the Federal Government toward the cost of the premium charged for health insurance authorized by the Federal Employees Health Benefits Act from \$1.62 (for self only) or \$3.94 (for family coverage) for each biweekly pay period (which in practice was about 24 percent of the average cost of high option family insurance) to a permanent level of 40 percent of the average premium charged for high option coverage offered by the six largest insurance programs operating under the act; becomes effective January 1, 1971. Public Law 91-418.

Intergovernmental Personnel Act of 1970: Provided for improving the quality of American Government by strengthening State and local governments through improved personnel administration and more efficient recruiting and training of personnel and provided the first comprehensive Federal aid program for improving and strengthening State and local personnel administration. S. 11. Public Law 91-.

Job Evaluation Policy Act: Improved position classification systems within the executive branch by establishing an orderly procedure for the study of ways to improve current classification with a view to the establishment of a comprehensive plan for the establishment of a coordinated system of job evaluation and ranking and by providing for the appointment by the Civil Service Commission of a special organizational unit within the Commission to prepare the plan and requiring the Commission to complete its activities within two years at which time it shall submit its recommendations to the President who shall submit recommendations to Congress. Public Law 91-216.

National Oceanic and Atmospheric Administration Commissioned Officer Corps: Clarified the eligibility of commissioned officers of the National Oceanic and Atmospheric Administration (NOAA) for veterans' benefits under Title 38 of the United States Code, and extended benefits of The Soldier's and Sailor's Civil Relief Act of 1940 to the Commissioned Officer Corps of NOAA; and granted certain benefits commonly enjoyed by personnel of the Armed Forces to commissioned officers of NOAA and their dependents. H.R. 212. Public Law 91-.

Protecting Privacy and Rights of Federal Employees: Prohibits indiscriminate executive branch requirements that employees and applicants for Government employment disclose their race, religion or national origin, submit to questioning about their religion, personal relationships or sexual attitudes through interviews, psychological tests, or polygraphs, or support political candidates or attend political meetings; makes it illegal to coerce an employee to buy bonds or make

charitable contributions; provides a right to have a counsel or other person present, if the employee wishes, at an interview which may lead to disciplinary proceedings; accords the right to a civil action in a Federal court for violation or threatened violation of the act; establishes a Board on Employees' Rights to receive and conduct hearings on complaints of violation of the act and to determine and administer remedies and penalties; and contains other provisions. S. 782. P/S 5/19/70.

Public Health Service Officer Transfer to Environmental Protection Agency: Affords to officers of the Public Health Service commissioned corps whose positions are transferred, or whose positions are materially related to functions being transferred, to the Environmental Protection Agency an opportunity, subject to Civil Service Commission regulations, to transfer to competitive positions in the Agency. S. 4269. P/S 9/21/70.

Wage Board Employees: Provided an equitable system for fixing pay scales for prevailing rate employees of the Government by establishing one system of rules under one agency's jurisdiction to insure that Federal employees in the same area working for different agencies will be paid the same rate for doing the same kind of work, that the same criteria are used by one agency as by another in surveying prevailing rates to establish Federal wages, and that employees have adequate and fair representation within the groups vested with carrying out the established policies, and established a Federal Prevailing Rate Advisory Committee to study the rate system and advise the Civil Service Commission thereon. H.R. 17809. Public Law 91-.

GENERAL GOVERNMENT

Alaska Native Claims Settlement Act of 1970: Provides for final legislative settlement of the claims of the Alaska Native people to the lands which now comprise the State of Alaska and extinguishes all Native claims to said lands; provides as compensation for the extinguishment of these claims substantial land grants to both individuals and to Native village corporations; appropriates Federal funds of \$500 million to be paid over a 12-year period; grants the Alaska Native people a right to share in revenues derived from the mineral resources of Alaska until \$500 million has been received; provides for the organization of corporate enterprises to administer funds granted by the bill; protects subsistence resources used by Alaska Native people; and authorizes the Secretary of the Interior to dispose of oil and other leasable minerals on the public lands in Alaska by competitive bid where there is competitive interest in the lands to be leased. S. 1830. P/S 7/15/70.

American Battle Monuments Commission: Provided that Commission members will be entitled to receive per diem in lieu of subsistence of \$25 when in travel status in this country in connection with the work of the Commission and for official travel overseas the per diem allowance for the members will be \$40 instead of the present \$20 established in 1956. Public Law 91-480.

American Revolution Bicentennial Commission: Authorized \$373,000 for fiscal year 1971 for the Commission's activities, and regulated use of commemorating symbols certified by the Commission. Public Law 91-528.

Bankruptcy Laws Commission: Established a Commission on the Bankruptcy Laws of the United States to study, analyze, evaluate and recommend changes in the Bankruptcy Act and to submit a comprehensive report of its activities and recommendations to the President, Chief Justice, and Congress within 2 years of enactment. Public Law 91-354.

Canal Zone Government—Cash Relief Payments: Adjusted cash relief payments (to be paid from Canal tolls at no cost to the Federal Government) to non-citizen former employees of the Canal Zone Government whose services terminated prior to 1958 and extended the eligibility for such payments to surviving widows of such former employees. Public Law 91-355.

Coalinga Canal, California: Changed the name of the Pleasant Valley Canal, a feature of the San Luis unit of the Central Valley project in California, to the Coalinga Canal. Public Law 91-336.

Commission on Obscenity and Pornography Findings—Rejection: Declared that the Senate rejects the findings and recommendations of the Commission on Obscenity and Pornography. S. Res. 477. Senate adopted 10/13/70.

Commission on population growth and the American future: Established a Commission on Population Growth and the American Future to conduct and sponsor studies and research and to make such recommendations as necessary to provide information and education to all levels of government in the United States, and to the public, regarding a broad range of problems associated with population growth and their implication for America's future. Public Law 91-213.

Comptroller General of the United States: Designed to assign new responsibilities to the Comptroller General in analyzing and auditing Federal expenditures and to reduce certain outmoded statutory auditing requirements relative to Government corporations and certain other special Federal operations; changes the name of the General Accounting Office to the Office of the Comptroller General of the United States; and contains other provisions. S. 4432. P/S 10/9/70.

Consumer protection organization act: Establishes a Council of Consumer Advisers to assist the President in formulating consumer policy, said Council to assist the President in formulating consumer policy, said Council to consist of three members (one of whom would be the Director of the Consumer Protection Agency) appointed by the President with the advice and consent of the Senate; provides for the creation of a Consumer Protection Agency to perform several important functions for consumers and for its activities provides for the funding of consumer programs at the State and local level, authorizing \$7.5 million, \$15 million, and \$25 million for fiscal years 1971, 1972, and 1973, respectively, for Federal grant assistance to State and local consumer programs. S. 4459. P/S 12/1/70.

Delta Queen: Permitted the historic steamboat "Delta Queen" to operate until November 1, 1973. H.R. 6114. Public Law 91-1.

Disposition of executive boards: Abolished the Joint Committee on the Disposition of Executive Papers and transferred its functions to the General Services Administration, operating in collaboration with the National Archives, and provided for the disposal of Government records insufficiently valuable to merit retention. Public Law 91-287.

Domestic travel promotion: Amended the authority of the Secretary of the Interior to encourage, through the National Park Service, travel within the United States by increasing the authorization for this program from the existing \$100,000 ceiling to \$250,000 for fiscal year 1971, and \$750,000 for fiscal year 1972. Public Law 91-549.

Family Planning Services and Population Research Act: Established an Office of Population Affairs in the Department of Health, Education and Welfare, to be headed by a Deputy Assistant Secretary for Population Affairs, to serve as a focus within the Federal Government on matters pertaining to population, research, and family planning; authorized \$382 million over fiscal years 1971, 1972 and 1973 for family planning programs; provided that acceptance of services or information be a voluntary prerequisite to eligibility for or receipt of any other service or assistance; and provided that none of the funds appropriated shall be used in programs where abortion is a method of family planning. Public Law 91-572.

Federal Property and Administrative Services Act Amendment: Amends the Federal Property and Administrative Services Act of 1949, to remove a preference now accorded to the District of Columbia over State governments in the disposition of excess real property. S. 2867. P/S 10/1/70.

Fire protection contracts on public lands: Conferred on the Secretary of the Interior authority parallel to that of the Secretary of Agriculture with respect to the suppression of fires on large areas of the public lands and allows him to enter into contracts for tanker aircraft, and for other kinds of aircraft, supplies, and services, for an entire fire season, and to renew such contracts not more than twice. Public Law 91-429.

Fire Research and Safety Act authorization: Authorizes for fiscal years 1971 and 1972 not to exceed \$5 million and such sums as may be necessary for succeeding fiscal years to carry out the purposes of the Fire Research and Safety Act of 1968. S. 3766. P/S 7/31/70. H.R. 16538. H. Cal.

Florida-Georgia compact: Granted the consent of Congress to an agreement between the States of Florida and Georgia establishing a boundary between those States; authorized the Secretary of Commerce to survey the boundary and to authorize the appropriations for this work; and reserved to Congress the customary right to alter, amend, or repeal this act. Public Law 91-498.

Franklin Delano Roosevelt Memorial Commission: Authorized \$75,000 for the continued operation of the Franklin De-

lano Roosevelt Memorial Commission. Public Law 91-398.

Full Opportunity Act: Establishes full social opportunity for all Americans as a national goal, and declares this goal to be a continuing responsibility of the Federal Government, consistent with the primary responsibilities of State and local governments; establishes institutions and procedures for advancing this broad social goal, specifically: (1) a Council of Social Advisers in the Executive Office of the President; and (2) an annual social report by the President to Congress; and creates within Congress an Office of Goals and Priorities Analysis to submit an annual report to Congress setting forth goals and priorities. S. 5. P/S 9/10/70.

General Services Administration special policemen: Strengthens the authority of the Administrator of General Services in carrying out his assigned duty relative to the care and protection of property of the United States, and to give additional protection to Government employees in the performance of their duties. S. 4426. P/S 12/29/70.

Government systems and equipment purchasing: Authorized the Administrator of General Services to determine the systems and equipment required for operation, and to purchase such additional systems and equipment as he finds to be other than customary for standard passenger motor vehicles, without regard to the maximum price limitations established by law. Public Law 91-423.

"Johnny Horizon" symbol: Protected the symbol of Johnny Horizon (created by the Bureau of Land Management as part of an intensive public service anti-litter program, with the theme: "This Land is Your Land—Keep it Clean") from unauthorized use and permitted the Department of the Interior to license its use for commercial purposes with the provision to collect royalties. Public Law 91-419.

Micronesian claims and Micronesian Claims Commission: Implements an Executive Agreement, dated April 18, 1969, between Japan and the United States providing compensation equivalent to \$10 million to inhabitants of the Trust Territory of the Pacific Islands who suffered damages during the Second World War; authorizes the adjudication of certain claims of Micronesians; establishes a Micronesian Claims Commission responsible for determining the validity of the claims that may be filed; and authorizes the appropriation of \$25 million to make payments on claims adjudicated by the Commission. S.J. Res. 211. P/S 10/8/70.

National Foundation on the Arts and the Humanities Act Amendments: Authorized \$40 million, \$60 million, and \$80 million for fiscal years 1971, 1972, and 1973, respectively, for the National Foundation on the Arts and the Humanities provided that from the sums appropriated for any fiscal year, not less than \$65,000 shall be allotted to each State and that any funds remaining after such an allotment shall be distributed among the States in equal amounts; and made other amendments to the Act. Public Law 91-346.

National Science Foundation Authorization: Authorized appropriations to the National Science Foundation for fiscal year 1971 of \$537,730,000 out of money in the Treasury not otherwise appropriated and \$2 million in foreign currencies which the Treasury Department determines to be in excess to normal requirements of the United States. Public Law 91-356.

Oil and gas leases: Conferred discretionary authority on the Secretary of the Interior to prevent, administratively, termination of certain oil and gas leases on Federal lands and to reinstate terminated leases under certain limitations and conditions. Public Law 91-245.

Payments in lieu of taxes for former reconstruction finance corporation properties: Extended for 2 years from December 31, 1968, the period for which payments in lieu of taxes may be made to State and local taxing authorities by the Federal Government with respect to certain real property on which payments were authorized by Public Law 388, 84th Congress. Public Law 91-466.

Plymouth-Provincetown Celebration Commission: Created a commission to develop suitable plans for and conduct of the celebration in 1970 of the 350th anniversary of the landing of the Pilgrims at Provincetown and Plymouth, and authorized \$100,000 for the Commission's work. Public Law 91-474.

Pornographic mail: Protects a person's right of privacy by providing for the designation of sexually oriented advertisements and for the return of any such unrequested advertisements at the expense of the sender; provides that the following notice be printed on the cover of such advertisements: "The Enclosed Material Is Sexually Oriented Advertising, And May, If Unrequested By The Addressee, Be Returned To The Sender Unopened At No Cost To The Addressee"; provides that any unrequested sexually oriented advertisement may be returned to the sender at no cost to the addressee who shall pay return postage plus a service charge of not less than 50 cents, such charge to be determined by the Postal Service; provides that a sender who fails to mark the cover or who refuses to pay the postage or service charge will be subject to a civil penalty of \$5,000 for each such failure; and grants jurisdiction to the United States district courts to hear civil actions to collect any such civil penalty. S. 3220. P/S 9/23/70.

Postage counterfeiting: Strengthened the law relating to the counterfeiting of postage meter stamps or other improper uses of the metered mail system. Public Law 91-448.

Postal Reorganization Act: Established the United States Postal Service as an independent establishment within the executive branch; provided that all powers of the Postal Service shall be directed and exercised by an eleven-member Board of Governors, nine of whom shall be appointed by the President (no more than five of whom may be members of the same political party), the Postmaster General to be appointed a governor by the nine, and the Deputy Postmaster General to be a governor chosen by those ten; established a thirteen member Ad-

visory Council to advise the Postal Service on all aspects of postal operation; authorized collective bargaining over wages, hours, grievance procedures, seniority rights, promotions and other matters subject to collective bargaining in the private sector, with final and binding arbitration to resolve impasses in lieu of the right to strike; provided that right-to-work laws shall be applicable to postal employees; made postal employees members of the Postal Career Service, which shall be a part of the Civil Service; prohibited political influence in the selection or promotion of postal personnel; empowered the Postal Service to raise up to \$10 billion through the issue of bonds; required that postal rates to afford the annual revenues necessary to operate the Postal Service be recommended to the Board of Governors by an independent five-member Postal Rate Commission, subject to veto by a unanimous decision of the Board or by the Courts; prescribed an annual appropriation of approximately 10 percent of the postal budget to be phased out over a 12-year period; and provided an 8 percent salary increase to postal employees to be effective retroactively to the first day of the first pay period that began on or after April 16, 1970. Public Law 91-375.

Program Information Act: Provides for the publication and quarterly distribution of a catalog of Federal assistance programs, which catalog shall identify the program, describe the program structure, provide financial information, state the obligations on the part of the recipient receiving assistance or support, identify the appropriate officials to contact, provide a general description of the application process and identify closely related programs. S. 60. P/S 10/7/70.

Sea Grant College and Program Act amendments: Authorized \$20 million, \$25 million, and \$30 million for fiscal years 1971, 1972 and 1973, respectively, for the National Sea Grant College and Program. Public Law 91-349.

Smithsonian Institution:

Additional Members of Board of Regents: Authorized the appointment of three additional citizen regents to the Board of Regents of the Smithsonian Institution, increasing the membership of the Board from 14 to 17 members. Public Law 91-551.

Facilities Construction: Authorizes the Board of Regents of the Smithsonian Institution to plan and construct museum support and depository facilities and limits the authorized appropriations to \$500,000. S. 209. P/S 7/17/70.

Museum Programs Authorization: Authorizes \$1 million for each of fiscal years 1972, 1973, and 1974 for purposes of the National Museum Act of 1966, and an additional \$300,000 for each of those fiscal years for museum assistance programs to be allocated equally among specified museum assistance programs of the Smithsonian Institution, the National Endowment for the Arts, and the National Endowment for the Humanities. S. 704. Public Law 91-.

Social Security amendments: Made permanent the existing temporary provision for disregarding income of old-

age, survivors, and disability insurance and railroad retirement recipients in determining their need for public assistance. H.R. 19915. Public Law 91-.

Social security amendments of 1970: Provides with regard to social security cash benefits as follows: 10% social security increase with a minimum benefit increase from \$64 per month to \$100 per month; 5% increase in special payments to certain persons age 72 and over; guarantees that social security benefits will keep up with increases in the cost of living; increases widow's benefit from 82½% to 100% of deceased husband's benefit; permits men to disregard three additional low earning years for purposes of calculating benefits, putting men on the same basis as women; increases the social security earnings limit from \$1,680 to \$2,400; reduces the disability insurance waiting period for beneficiaries from 6 months to 4 months; liberalizes disability benefits for the blind; funds benefit increases through raises in the tax base from \$7,800 to \$9,000 and increases in tax rates. Provides with regard to medicare and medicaid as follows: Permits individuals not covered by medicare to buy into medicare; includes chiropractor services under medicare; establishes professional standards of review under medicare; establishes an Inspector General for Health Administration; includes various other amendments designed to control costs of medicare and medicaid. Provides with regard to welfare as follows: Establishes guaranteed minimum income for needy aged, blind and disabled persons (\$130 for an individual and \$200 for a couple); guarantees aged, blind and disabled welfare recipients under social security a minimum \$10 in social security increases (\$15 in the case of a couple); establishes uniform national definitions of blindness and disability for welfare purposes; provides fiscal relief for States with respect to the non-Federal share of payments to aged blind and disabled welfare recipients; provides for improved work incentive payments for families of working poor; increases Federal matching for family planning services from 75% to 100%; increases Federal matching for child care services from 75% to 90%; requires States to provide emergency assistance to needy migrants working with families. Other provisions are as follows: Increases the retirement income credit; and penalizes private pension plans that reduce benefits by the amount of the social security increase. H.R. 17550. P/H 5/21/70. P/S amended 12/29/70.

Tennessee Valley Authority—revenue bond financing: Increased from \$1.75 billion to \$5 billion the amount of revenue bonds which TVA may have outstanding to finance additions to its power system. Public Law 91-446.

Trust Territory of the Pacific Islands: Increased the authorization from \$50 million to \$60 million for fiscal year 1971 and authorized \$60 million for each of fiscal years 1972 and 1973 for the Trust Territory of the Pacific Islands for civil works and administrative programs. Public Law 91-578.

Uniform relocation assistance: Provided for uniform and equitable treatment of persons displaced from their homes, businesses, or farms by Federal or federally assisted programs, and established uniform and equitable land acquisition policies for Federal and federally assisted programs. S. 1. Public Law 91-.

Use of personal checks to pay postal services: Permits the acceptance of checks and nonpostal money orders in payment for postal charges and services; relieves postal employees of personal financial liability for accepting personal checks from postal patrons in the course of business; provides penalties for presenting bad checks and bad postal money orders in payment for postal charges and services. S. 3397. P/S 3/4/70.

HEALTH

Air pollution compacts:

Mid-Atlantic States: Gives Congressional consent and approval to a compact between Connecticut, New Jersey, and New York to enter into an interstate compact on air pollution and grants consent to Pennsylvania and Delaware to join in such compact. S.J. Res. 53. P/S 6/26/70.

Ohio-West Virginia: Gives Congressional consent to the interstate compact on air pollution between Ohio and West Virginia and grants consents to Pennsylvania and Kentucky to join in the compact. S. 2707. P/S 2/2/70.

Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act of 1970: Authorized \$300 million over a 3-year period for a program dealing with the overall problem of alcoholism; established in the National Institute of Mental Health a new Institute to be known as the National Institute on Alcohol Abuse and Alcoholism; established a program of formula grants to the States for programs dealing with the problems of alcohol abuse and alcoholism; provided for the establishment of a program of project grants for specific projects in the States dealing with this problem; and provided for establishment of a program by the Civil Service Commission to deal with alcoholism and alcohol abuse among Federal employees. S. 3835. Public Law 91-.

Cancer conquest: Expressed the sense of Congress that the conquest of cancer is a national crusade to be accomplished by 1976 as an appropriate commemoration of the two hundredth anniversary of the independence of our country and that sufficient funds be appropriated to carry out said crusade. H. Con. Res. 675. Public Law 91-.

Clean Air Act and Solid Waste Disposal Act Extensions:

Extend the authorization for the Clean Air Act and Solid Waste Disposal Act programs for 60 days through August 31, 1970, at their present level. Public Law 91-316.

Extended the authorization for the Clean Air and Solid Waste Disposal Act programs for 90 days through November 30, 1970. S. 4319. P/S 9/1/70.

Clean Air Act Amendments of 1970: Amended the Clean Air Act to require designation of major air quality control regions within a statutory deadline; set

procedures to achieve air quality standards that would insure the protection of health and after standards and goals are set, the States will have 9 months to develop a plan to implement the standards; required that implementation plans be designed to achieve conformance with air quality standards within 3 years; allowed States to adopt even stricter air quality standards than those set by the Federal Government; authorized regulations to require that new industries meet emission performance standards based on the latest control technology, processes, and operating methods; provided for civil—\$10,000—and criminal—up to \$50,000 and 2 years—penalties for violations and authorizing pollution abatement orders; required that national emission standards also apply to vessels and aircraft, provided that 1975 model cars must achieve at least a 90-percent reduction in polluting exhaust from the 1970 standards, and impose penalties up to \$10,000 per vehicle; require a warranty of 50,000 miles on a vehicle's emission system performance and authorize the Administration to have cars road tested and recall those produced if they do not meet standards; authorized certification of low-emission vehicles for research and development purposes and for Federal acquisition of such vehicles for demonstration purposes; authorized \$125 million in research for fiscal 1971, \$150 million for 1972, and \$175 million for 1973 for research relating to fuels and vehicles; authorized research concerning health effects of air pollution and authorize therefor \$15 million for long term contracts to carry out investigations; provided 3-to-1 funding to States and for the option assignment of Federal personnel in place of cash grants; permitted citizens to file suits to enforce standards, authorizing \$725 million for 3 years for enforcement, grant assistance, and administration; establish an Office of Noise Abatement and Control in the Environmental Protection Agency, and authorized \$30 million therefor; created a Federal low-emission vehicle procurement program to stimulate development and production of such vehicles. Public Law 91-604.

Communicable disease control: Authorized a 3-year program or project grants to States and local governments for continuing assistance in eliminating diseases susceptible to vaccination or communicable disease control programs; and authorized \$60 million, \$75 million, and \$90 million for fiscal years 1970, 1971, and 1972, respectively. Public Law 91-464.

Community mental health centers amendments: Improved and extended for 3 years the Community Mental Health Centers Act; authorized for construction grants \$80 million, \$90 million, and \$100 million for fiscal years 1971, 1972, and 1973, respectively; authorized for grants for initial operation of community mental health centers \$45 million, \$50 million, and \$60 million for fiscal years 1971, 1972, and 1973, respectively; extended the program for facilities and services for alcoholics and narcotic addicts for 3 years and authorized

therefor \$30 million, \$35 million, and \$40 million for fiscal years 1971, 1972, and 1973, respectively, and reduced the authorization for fiscal 1970 from \$25 million to \$15 million; added a program of special facilities, personnel and services for children and authorized therefor \$12 million, \$20 million and \$30 million, for fiscal years 1971, 1972, and 1973, respectively. Public Law 91-211.

Developmental disabilities services and facilities construction amendments of 1970: Extended for 3 years and amended the Mental Retardation Facilities Construction Act of 1963; authorized \$60 million, \$105 million, and \$130 million, respectively, for fiscal years 1971, 1972, and 1973 for grants for services and facilities for persons with developmental disabilities; authorized the Secretary of Health, Education, and Welfare to use up to 10 percent of appropriations for formula grants for projects of special national significance to assist the developmentally disabled; provided for formula grants for State and local planning, administration, and technical assistance for construction, maintenance, and operation of facilities, for provision of services, for training of specialized personnel, and for developing and demonstrating new or improved techniques of service and authorized therefor \$15 million, \$17 million, and \$20 million for fiscal years 1971, 1972 and 1973, respectively; and established a National Advisory Council on Services and Facilities for the Developmentally Disabled. Public Law 91-517.

Family practice of medicine: Authorized for grants to public and private nonprofit medical schools and hospitals appropriations of \$50 million, \$75 million and \$100 million for fiscal years 1971, 1972, and 1973, respectively, for programs, facilities and training related to family practice of medicine; authorized \$8 million for planning and development grants to assist medical schools and hospitals in getting programs and projects underway, and to expedite the development of programs; provided for the Secretary of HEW to appoint an Advisory Council on Family Medicine to advise and assist in the preparation of regulations and as to policy matters, and to consider all applications for grants; and authorized the Secretary of HEW to conduct a study, in cooperation with health professional manpower schools, of the feasibility and desirability of establishing courses at such schools in the fields of nutrition and problems relating to malnutrition and authorized \$5 million for grants, programs and pilot projects therefor. S. 3418. President Vetoes 12/26/70.

Federal Drug Abuse and Drug Dependence Prevention, Treatment and Rehabilitation Act: Provides a comprehensive Federal program for the prevention and treatment of drug abuse and drug dependence and authorizes for fiscal years 1971 through 1973 \$190 million for formula and project grants to assist State and local programs. Establishes a national Institute for the Prevention and Control of Drug Abuse and Drug Dependence, a 15-member National Advisory Council on Drug Abuse and Drug Dependence within the Public Health Service, and an Intergovernmental Co-

ordinating Council on Drug Abuse and Drug Dependence. S. 3562. P/S 11/24/70.

Health Service Corps-establishment: Provided for the establishment of a National Health Service Corps within the Public Health Service to assign health needs in needed areas; authorized appropriations of \$10 million, \$20 million and \$30 million for fiscal years 1971, 1972, and 1973, respectively; provided that a request from a State or local health agency is a prerequisite to assigning health personnel to an area. S. 4106. Public Law 91-.

Health Training Improvement Act of 1970: Extended for 3 years and improved the Allied Health Professions Personnel Training Act of 1966 and authorized for fiscal years 1971, 1972 and 1973 \$90 million for construction, \$45 million for basic improvement grants, \$125 million for special improvement and special project grants, \$30 million for traineeships, \$3 million to encourage full utilization of allied health professions, \$15 million for scholarships, \$12 million for work-study, and \$18.5 million for loans. Public Law 91-519.

Lead-based Paint Elimination Act: Provided Federal financial assistance to help cities and communities to develop and carry out intensive local programs to eliminate the causes of lead-based paint poisoning and local programs to detect and treat incidents of such poisoning; established a Federal demonstration and research program to study the extent of the lead-based point poisoning problem and the methods available for lead-based paint removal; and prohibited future use of lead-based paint in Federal or federally assisted construction or rehabilitation. H.R. 19172. Public Law 91-.

Medical facilities construction and modernization amendments: Authorized \$1.29 billion in grants to the States for construction or modernization of hospitals and other health facilities for fiscal years 1971, 1972, and 1973; established a new 3-year program of guaranteed loans to cover up to 90% of the cost to private nonprofit agencies for medical facility construction or modernization and a program of direct loans for construction or modernization of public facilities and for such loans authorized \$1.5 billion for fiscal years 1971, 1972, and 1973, but not more than \$500 million per year; provided a new 3-year \$20 million per year program of project grants to assist in the modernization or construction of emergency rooms in general hospitals and transportation systems; provided for reports on the health consequences of the use of marihuana; and made other legislative changes. Public Law 91-296.

Medical Library Assistance Extension Act: Extended for 3 years the program to provide financial assistance for the construction of health library facilities; support training of health librarians and other information specialists; expand and improve health library services through the provision of grants for library resources; support projects of research and development in the field of health communications, and related special scientific projects; support the development of a national system of re-

gional medical libraries; and support selected biomedical scientific publications projects; and authorized for funding these programs \$63 million for fiscal years 1971 through 1973. Public Law 91-212.

Migrant health services: Extended until June 30, 1973, the authority of the Public Health Service Act to improve health services and the health conditions of domestic agricultural migratory workers and their families, and provided for this purpose increased funding authorizations of \$20 million, \$25 million, and \$30 million for fiscal years 1971, 1972, and 1973, respectively. Public Law 91-209.

Poison Prevention Packaging Act: Amended the Federal Hazardous Substances Act to provide for child-resistant packaging to protect children from serious personal injury or serious illness resulting from handling, using, or ingesting any hazardous household substance; provided for nonconforming packaging to meet the needs of the aged, handicapped, or households without children; authorized the Secretary of Health, Education, and Welfare to determine those substances to be specially packaged and to establish packaging performance standards; set penalties for failure to conform to those standards; and created a technical advisory committee to advise the Secretary. Public Law 91-601.

Public Health Cigarette Smoking Act: Prohibited all broadcast advertising of cigarettes after January 1, 1971; strengthened the warning on cigarette packages by changing it from "Caution: Cigarette Smoking May Be Hazardous to Your Health" to "Warning: The Surgeon General Has Determined That Cigarette Smoking Is Dangerous to Your Health"; prohibited States from regulating cigarette advertising; and suspended until July 1971 a Federal Trade Commission rule which would require warnings in print cigarette advertising. Public Law 91-222.

Public health training: Extended the authority to make formula grants to schools of public health and authorized therefor \$9 million, \$12 million and \$15 million for fiscal years 1971, 1972 and 1973, respectively; extended project grants for graduate or specialized training in public health and authorized therefor \$14 million, \$15 million, and \$16 million for fiscal years 1971, 1972, and 1973, respectively; extended project grants for traineeships for professional health personnel and authorized therefor \$16 million and \$18 million for fiscal years 1972 and 1973, respectively. Public Law 91-208.

Regional Medical Programs and Comprehensive Health Planning and Services Act: Extended regional medical programs for 3 years through fiscal year 1973 and authorized therefor \$525 million; also authorized \$247 million for demonstrations relating to health facilities and services, \$1,013,500,000 for comprehensive health planning, and \$60 million for health surveys and studies; added "kidney disease" to the original three programs covered—heart disease, cancer and stroke; created a National Advisory Council on Comprehensive Health Plan-

ning Programs; facilitated the group practice of medicine; directed the President to make a study pertaining to the health and safety hazards presented by environmental pollution and make pertinent reports to Congress. Public Law 91-515.

Water pollution: Potomac Valley conservancy district compact amendments: Granted the consent of Congress to the Maryland and West Virginia and Virginia and Pennsylvania and the District of Columbia, as signatory bodies, for certain amendments to the compact creating the Potomac Valley Conservancy District and establishing the Interstate Commission on the Potomac River Basin. Public Law 91-407.

HOUSING

College housing debt service grants: Provides an additional \$2.6 million authorization for college housing interest subsidy grants, thereby making the total available for fiscal year 1971 \$6.8 million. S.J. Res. 196. P/S 5/15/70.

Emergency Home Finance Act: Increased the availability of mortgage credit for the financing of urgently needed housing; authorized \$250 million to subsidize the interest on loans made by Federal home loan banks to savings and loan associations and other member borrowers of the Federal Home Loan Bank Board (FHLBB) system, and required the FHLBB to establish a maximum "spread" between the rate charged by the home loan bank and that charged by the savings and loan association, thus passing maximum benefits to the home buyer; expanded the scope of the Federal National Mortgage Association (FNMA) to include conventional as well as Federally insured and guaranteed mortgages in its secondary market operations; established an identical secondary market institution through the FHLBB for conventional and Federally insured and guaranteed mortgages; contained new Government National Mortgage Association (GNMA) special assistance authority amounting to \$750 million and transferred another \$750 million from the congressional authority to Presidential authority, and removed the existing par purchase restriction on the use of the \$2 billion balance of funds now under congressional authority of the GNMA, thus making available for immediate use a total of \$2.750 billion for federally assisted low and moderate income housing; established a new interest subsidy program for middle-income housing through FNMA; renewed the authority of the Secretary of Housing and Urban Development to set the maximum allowable interest rates for FHA and VA mortgages; made technical changes designed to assist savings and loan associations to increase their deposits and thus make more mortgage funds available to the housing market. Public Law 91-351.

Farmers Home Administration real estate loans limitation increase: Increased the maximum indebtedness against the farm or other security which could result from a farm ownership loan under the Consolidated Farmers Home Administration Act of 1961 to \$100,000 (from \$60,000); extended veterans' preference for loans under that act to Vietnam era

veterans; and exempted veterans from the requirement that borrowers have a farm background. H.R. 11547. Public Law 91-.

Federal Housing Administration's insurance authority extensions:

Extended until November 1, 1970, certain Federal Housing Administration insurance programs slated to expire on October 1, 1970. Public Law 91-432.

Extended until December 1, 1970, certain Federal Housing Administration insurance programs slated to expire on November 1, 1970. Public Law 91-473.

Extended until January 1, 1971, certain Federal Housing Administration insurance programs slated to expire on December 1, 1970. Public Law 91-525.

Housing and Urban Development Act: Provided a 1-year extension of the Federal Housing programs, principally Federal Housing Administration programs, urban renewal, model cities and public housing; authorized \$2,881,500,000 for housing and urban programs; and made significant changes in existing public housing, urban property insurance, and new community programs. H.R. 19436. Public Law 91-.

Loans to Lessees of Nonfarm Rural Land: Authorizes the Farmers Home Administration to make rural housing loans under title V of the Housing Act of 1949 to lessees of nonfarm rural land. S. 3330. P/S 8/28/70.

Paralegic Housing Program: Authorizes the Veterans' Administration to make direct loans to eligible disabled veterans for assistance in acquiring specially adapted housing as defined in chapter 21 of title 38, United States Code. S. 3775. P/S 8/28/70.

INDIANS

Chemehuevi tribe: Authorized the disposition of judgment funds awarded to the Chemehuevi Tribe of Indians. Public Law 91-417.

Cherokee, Chickasaw, Choctaw, and Seminole nations of Oklahoma: Provided that when a member, or the descendant of a member, of the Cherokee, Chickasaw, Choctaw, and Seminole Nations of Oklahoma dies without a will and has no heirs, his interest in any trust or restricted land, or in the rents therefrom, will escheat to the tribe. Public Law 91-240.

Cherokee tribe, Oklahoma: Authorized the sale to the Cherokee tribe of Oklahoma of a small parcel of land to be used by the tribe to continue industrial development. Public Law 91-478.

Choctaw tribe, Oklahoma: Repealed the act of August 25, 1969, with respect to the final disposition of the affairs of the tribe. Public Law 91-386.

Coeur D'Alene Indian reservation: Authorizes the Secretary of the Interior to approve the sale, exchange, or encumbrance of tribal lands and to sell or exchange, or encumbrance of tribal lands and to sell or exchange individually owned trust lands or interests therein held in multiple ownership to other Indians if the sale or exchange is authorized by the owners of at least a majority of the interests in such lands. S. 3487. P/S 9/1/70.

Confederated bands of Ute Indians: Provided for the disposition of judgment

funds awarded to the Confederated Bands of Ute Indians in the Court of Claims, and to the Ute tribe of the Uintah and Ouray Reservation for and on behalf of the Uncompahgre Band of Ute Indians by the Indian Claims Commission. Public Law 91-240.

Confederated tribes of the Umatilla Indian reservation: Authorized the tribes to use a judgment recovered against the United States in the Indian Claims Commission, and accumulated interest. Public Law 91-259.

Confederated tribes of Weas, Piankashaws, Peorias, and Kaskaskias: Provided for a per capita distribution of 3 judgments by the Indian Claims Commission recovered on behalf of the Confederated tribes and provided that any per capita share the Secretary of Interior is unable to deliver within 2 years shall revert to the Peoria tribe. Public Law 91-364.

Eastern band of Cherokee Indians, North Carolina: Authorized a conveyance to the Eastern band of any Federal lands within the Cherokee reservation that may become excess to the needs of the Bureau of Indian Affairs. Public Law 91-501.

Educational facilities for Indian children: Authorizes the appropriation of \$27,400,000 annually for each of fiscal years 1971, 1972 and 1973 to aid public school districts near Indian reservations in the construction of classrooms, housing and other necessary educational facilities for Indian children attending these schools. S.J. Res. 144. P/S 5/19/70.

Five civilized tribes and Osage tribe of Oklahoma: Amends certain Federal laws relating to the administration of the affairs of members of the Five Civilized Tribes and of the Osage Tribe to remove a hiatus brought about by the adoption in Oklahoma of a constitutional amendment establishing a new judicial department for that State. S. 2362. P/S 4/30/70.

Five civilized tribes of Oklahoma: Authorizes the Secretary of the Interior to convey to certain individual members of the Tribes interests in former restricted lands acquired by the United States pursuant to the Oklahoma Indian Welfare Act of 1936. S. 1498. P/S 4/27/70.

Five civilized tribes of Oklahoma: Authorized each of the Five Civilized Tribes of Oklahoma (Cherokee, Choctaw, Creek, Seminole and Chickasaw) to select its principal officer in accordance with procedures approved by the Secretary of the Interior. Public Law 91-495.

Fort Belknap Indian irrigation project, Montana: Authorized the Secretary of the Interior to transfer title for the facilities of the Brown unit of the Fort Belknap Indian irrigation project to the owners of the lands served by the unit; provided that the landowners assume responsibility for operation and maintenance; cancelled all outstanding operation and maintenance charges and deferred construction charges on the project. Public Law 91-251.

Fort Belknap Indian Reservation, Montana: Amends the Act of March 3, 1921, which provided for allotment of lands on the Reservation, to provide for the reservation of all minerals for the

benefit of tribal members in common. S. 786. P/S 5/15/70.

Fort Berthold Reservation, North Dakota: Authorizes the mortgaging of tribal land on the Reservation acquired after the date of enactment of this legislation and provides that resulting funds be used to buy lands within the Reservation to improve the tribal land base. S. 774. P/S 5/11/70.

Hopi Indian tribe, Arizona: Gave the governing body of the Hopi Tribe the authorities it needs to develop the Hopi Industrial Park. Public Law 91-264.

Hualapai tribe, Arizona: Authorize the use of a judgment recovered against the United States by the Tribe in an Indian Claims Commission Docket. Public Law 91-400.

Inter-Tribal Council, Inc., Miami, Oklahoma: Authorizes and directs the secretary of the Interior to convey without consideration 114 acres of surplus Federal land in Oklahoma to the Inter-Tribal Council Incorporated, which will encourage labor-oriented industries to locate on this acreage, thus raising the socioeconomic level of the tribal members residing in the area through the creation of jobs and better housing. S. 886. P/S 5/15/70.

Lac du Flambeau band of Lake Superior Chippewa Indians, Wisconsin: Conveys the beneficial interest in 40 acres of federally owned land to the Lac du Flambeau Tribe, subject to valid existing rights-of-way and the right of Wisconsin to use the fire observation tower located on the land, as well to a possible set-off of the value of the beneficial interest conveyed against any claims against the United States. S. 1751. P/S 4/30/70.

Loans to Indian tribes: Provided authority for the Farmers Home Administration (FHA) to make loans to Indian tribes for the purchase of land within their reservations; permitted any tribe to mortgage its land as security for such a FHA loan; permitted the tribe to waive immunity from suit without its consent as a part of its loan agreement; excepted trust lands from the FHA Act provision that land mortgaged to secure a loan shall be subject to local taxation; permitted the title to land acquired with loan funds to be taken in trust; provided that in addition to making direct loans from its direct loan account the FHA may insure loans to tribes made by commercial lending institutions; specified that the eight Indian Reorganization Act corporations in Alaska are eligible for loans to buy land although they do not have reservations. Public Law 91-229.

Makah Indian Tribe, Washington: Gave to the Tribe 719 acres of land set aside by Executive order in 1893 as a reservation "for Ozette Indians not now residing upon any Indian reservation." Public Law 91-489.

Mississippi Sioux Indians: Provides for the disposition of judgment funds awarded to the Mississippi Sioux Indians in the Indian Claims Commission. H.R. 14984. P/H 6/15/70. P/S amended 10/14/70.

Nez Perce tribe: Authorized a judgment of the Indian Claims Commission to be divided between the Nez Perce Tribe of Idaho and the Confederated Tribes of

the Colville Reservation, Washington, and authorized the use of the money after it is divided. Public Law 91-542.

Potawatomi Indians, Oklahoma: Authorized the use of judgment funds recovered by the Citizen Band of Potawatomi Indians in an Indian Claims Commission Docket. Public Law 91-401.

Quapaw Indians, Oklahoma: Extended for an additional period of 25 years from March 3, 1971, the restrictions, tax exemptions, and limitations affecting lands of the Quapaw Indians extended to that date by the act of July 27, 1939. Public Law 91-290.

Reno-Sparks Indian Colony, Nevada: Grants to the Colony the beneficial interest in and to a small parcel of land the Colony has been using and occupying since the land was acquired by the Federal Government, and authorizes the governing body of the Colony, with the approval of the Secretary of the Interior, to make long-term leases of land to members for homesites, dedicate lands for public purposes, contract for public facilities and other services, enact zoning, building, and sanitary regulations, and take action to establish proper boundaries of Colony lands. S. 3196. P/S 9/1/70.

Sac and Fox Tribes of Oklahoma: Authorized the use of judgment funds recovered by the Tribes in an Indian Claims Commission Docket. Public Law 91-404.

Sioux Tribe of the Port Peck Indian Reservation, Montana: Provided for a per capita distribution among the members of the Tribe of judgment funds. Public Law 91-283.

Snohomish, Upper Skagit, and Snoqualmie-Skykomish Tribes: Disposes of three separate awards of the Indian Claims Commission to the Tribes. S. 4078. P/S 9/1/70.

Soboba Band of Mission Indians: Designed to provide a water supply for the Soboba Indian Reservation, Riverside, California. Public Law 91-557.

Taos Indian Land Act: Granted to the Pueblo de Taos Indians in New Mexico trust title to approximately 48,000 acres of federally owned land within the Carson National Forest. Public Law 91-550.

Tlingit and Haida Indians of Alaska: Authorized the disposition of judgment funds amounting to \$7 million awarded to the Tlingit and Haida Indians for land taken, principally the Tongass National Forest. Public Law 91-335.

Tulalip Reservation, Washington: Gave the Tulalip Tribes of the Tulalip Reservation in Washington additional authority to acquire, manage, and dispose of tribal property. Public Law 91-274.

Ute tribe of the Uintah and Ouray reservation, Utah: Authorized the Secretary of the Interior to reimburse the Ute Indian Tribe of the Uintah and Ouray Reservation for tribal funds, and interest thereon, used for the construction, operation, and maintenance of the Uintah Indian irrigation project, Utah; and transferred the title to four pieces of land purchased by the United States in connection with this project to the United States to be held in trust for the tribe. Public Law 91-403.

Washoe tribe of Nevada and California: Set aside 80 acres of public domain in Alpine County, California to carry out a program to assist certain Washoe Indians. Public Law 91-362.

Yakima tribes: Provided for the disposition of three awards totaling \$2,210,991.40 awarded to the Yakimas by the Indian Claims Commission as compensation for the value of reservation lands omitted through erroneous surveys of the boundaries of the Yakima Indian Reservation established by the treaty of June 9, 1855. Public Law 91-413.

Amends section 7 of a 1946 statute that restricts the right to inherit trust property of deceased members of the Yakima Tribes. H.R. 380. Public Law 91-

Yankton Sioux tribe, South Dakota: Declared that a small parcel of Federal lands are held in trust for the Yankton Sioux Tribe, but if the Tribe recovers any judgment against the United States, in the Indian Claims Commission, the Commission will consider the value of the land as a possible setoff. Public Law 91-471.

Yavapai-Prescott community reservation, Arizona: Authorized lands on the reservation to be leased for periods up to 99 years if a long-term lease will be in the best interest of the Indian owner. Public Law 91-275.

INTERNATIONAL

Aircraft hijacking: Expressed the sense of the Senate that the full influence of all governments and all international airline associations be brought to bear for the release of all passengers and aircrews detained involuntarily in Jordan and that such governments and associations should take such actions as may be necessary to prevent any further hijacking of aircraft. S. Res. 459. Senate adopted 9/16/70.

Arms Control and Disarmament Act amendments: Authorized \$17.5 million for fiscal years 1971 and 1972 for operations of the Arms Control and Disarmament Agency. Public Law 91-246.

Convention on offenses and certain other acts committed on board aircraft—implementing legislation: Amended the Federal Aviation Act of 1958 to permit the United States to implement certain provisions of the Tokyo Convention, approved by the Senate on May 13, 1969 and which is designed to promote aviation safety through establishment of continuity of jurisdiction over criminal acts occurring onboard aircraft. Public Law 91-449.

Convention relating to arbitral awards—implementing legislation: Implemented the Convention on the Recognition and Enforcement of Foreign Arbitral Awards approved by the Senate on October 4, 1968, creating a new chapter under title 9 of the United States Code (the Federal Arbitration Act) dealing exclusively with the recognition and enforcement of awards pursuant to the provisions of the convention. Public Law 91-368.

Foreign assistance—supplemental authorization: Authorized \$550 million in additional appropriations for foreign assistance for fiscal year 1971, as follows: \$155 million (\$85 million military aid; \$70 million in supporting assistance) for

Cambodia; \$100 million (\$40 million in military aid; \$60 million in supporting assistance) to replace funds transferred for use in Cambodia; \$150 million in military aid for Korea; \$30 million in military aid for Jordan; \$13 million in military aid for Indonesia; \$5 million in military aid for Lebanon; \$65 million in supporting assistance for South Vietnam; \$17 million to restore the military assistance program to its planned levels; and increased the contingency fund from \$15 million to \$30 million, with the addition earmarked for relief, rehabilitation, and reconstruction assistance in East Pakistan; authorized the Defense Department to transfer defense articles now being utilized by U.S. forces in Korea to the Republic of Korea, the amount of which is estimated at between \$117 million and \$122 million; authorized the appropriation for 1 year of unallocated excess foreign currencies held by the United States in Pakistan, said currencies to be available for disaster relief and reconstruction in East Pakistan; prohibited funds from being used to finance the introduction of U.S. ground troops into Cambodia or to provide U.S. advisers to or for Cambodian military forces in Cambodia; provided that U.S. military and economic assistance provided to Cambodia shall not be construed as a commitment by the United States to Cambodia for its defense; and placed a limitation on the provision of the additional assistance to Cambodia provided in the act. H.R. 19911. Public Law 91-

Foreign service buildings operations: Authorized \$15 million and \$15.9 million for fiscal years 1972 and 1973, respectively, for the operation and maintenance of Foreign Service buildings. Public Law 91-586.

Gulf of Tonkin resolution—termination: Provided that under the authority of section 3 of the joint resolution commonly known as the Gulf of Tonkin Resolution and entitled "Joint resolution to promote the maintenance of international peace and security in Southeast Asia," such joint resolution shall be terminated effective upon approval of both Houses of Congress. S. Con. Res. 64. Senate adopted 7/10/70.

International biological program: Authorized all Federal departments and agencies having functions or objectives related to the International Biological Program (IBP) to obligate or transfer money from appropriate funds and to provide such other support as may be appropriate to that effort; expressed the support and endorsement of the Congress for the IBP; and declared that the United States provision of adequate financial and other support for the IBP is a matter of priority. Public Law 91-438.

International Coffee Agreement: Continued until July 1, 1970, the authority of the President contained in the International Coffee Agreement, 1968, which authority expired on September 30, 1970. H.R. 19567. Public Law 91-

International expositions: Established a Federal procedure for determination of endorsement of and participation in international expositions held in the United States; called on the President to

make findings as to official recognition of a domestically proposed international exposition and to submit to Congress such proposals considered appropriate for Federal participation; and authorized appropriations not to exceed \$200,000 in any fiscal year. Public Law 91-269.

International financial institutions: Increased United States quota in the International Monetary Fund by \$1,540 million and the United States Subscription to the International Bank for Reconstruction and Development (World Bank) by \$246.1 million, of which all but \$24.6 million would take the form of callable capital, or a contingent liability; increased the resources of the Inter-American Development Bank comprised of both callable capital in the amount of \$673.5 million and a paid-in capital subscription of \$150 million payable in a letter of credit in three equal annual installments, and a United States contribution to the FSO of \$100 million for the first year. Public Law 91-599.

Military sales—limitations on United States involvement in Cambodia: Authorized \$250 million for foreign military sales for each of fiscal years 1970 and 1971 and set a credit ceiling of \$340 million in each of those fiscal years; repealed the Gulf of Tonkin resolution effective at the end of the second session of the 91st Congress; required that any sale or grant of the "International Fighter" aircraft, other than to Vietnam or sales through commercial channels be made under the regular military grant aid and sales programs; placed a \$100 million ceiling on the amount of excess defense articles that may be given to foreign countries in any fiscal year; and made other changes in, or additions to, existing law. H.R. 15628. Public Law 91-

Pan American Institute of Geography and History: Authorized an increase in the United States annual contributions to the Pan American Institute of Geography and History from \$90,300 to \$200,000 and authorized the appropriation of \$386,050 for the payment of arrearages incurred during fiscal years 1965-1969. Public Law 91-340.

Pan American Railways Congress Association: Authorized an increase in U.S. contributions to the Pan American Railways Congress Association from the current \$5,000 a year to \$15,000 a year. Public Law 91-553.

Peace Corps Act amendments: Authorized \$98.8 million for activities of the Peace Corps in fiscal year 1971; proposed new authorities to attract more highly skilled married volunteers with children; broadened the language of the Peace Corps Act to encourage the development of, and participation in, international voluntary service programs and activities and authorized up to \$300,000 therefor in fiscal year 1971. Public Law 91-352.

Prisoners of war in Southeast Asia: Placed the Congress on record in support of humane treatment for the United States prisoners of war and focused world attention on the failure of North Vietnam and the National Liberation Front to comply with the provisions of the Geneva Convention on the treatment of prisoners of war. H. Con. Res. 454.

House adopted 12/15/69. Senate adopted 2/18/70.

Rainy River bridge, Baudette, Minnesota: Deleted the legal requirement that the cost of the bridge and its approaches be amortized within 30 years from the date of the completion thereof, and that the bridge be maintained and operated free of tolls after funds sufficient for its amortization have been so provided. Public Law 91-493.

Retirement age for foreign service career ministers: Amends the Foreign Service Act of 1946 to lower the mandatory retirement age of career Ministers from age 65 to 60 except while serving in positions to which they have been appointed by the President, by and with the advice and consent of the Senate; and to provide for a retirement schedule for those career Ministers past the mandatory retirement age. S. 3691. P/S 6/19/70.

St. Lawrence River bridge, Cape Vincent, New York: Authorized the Thousand Islands Bridge Authority, a political subdivision of the State of New York, its successors and assigns, to construct, maintain and operate an additional toll bridge across the St. Lawrence River, from a convenient point at or near Cape Vincent, Jefferson County, New York, to a point at or near Kingston, Province of Ontario, Canada. Public Law 91-520.

South Pacific Commission—U.S. Participation: Raised the authorized limit on annual U.S. contributions to the South Pacific Commission from not to exceed \$200,000 a year to \$250,000. H.J. Res. 1162. Public Law 91-

Spanish bases agreement: Expressed the sense of the Senate that nothing in the Agreement of Friendship and Cooperation between the United States and Spain signed on August 6, 1970 shall be deemed to be a national commitment by the United States. S. Res. 469. Senate adopted 12/11/70.

Support of United States peace initiative: Expressed the sense of the Senate that President Nixon's peace initiative of October 7, 1970, is fair and equitable and lays the basis for ending the fighting and moving toward a just settlement of the Indochina war. S. Res. 474. Senate adopted 10/8/70.

Suspension of further deployment of offensive and defensive nuclear strategic weapons systems: Expressed the sense of the Senate that prompt negotiations between the Governments of the United States and the Soviet Union to seek agreed limitations of both offensive and defensive strategic weapons should be urgently pursued, and that the President of the United States should propose to the Government of the Soviet Union an immediate suspension by the United States and the Soviet Union of the further deployment of all offensive and defensive nuclear strategic weapons systems, subject to national verification of such other measures of observation and inspection as may be appropriate. S. Res. 211. Senate adopted 4/9/70.

Treaties:

Convention on the privileges and immunities of the United Nations: Accords certain privileges and immunities to the United Nations, as an organization, and

to the representatives of its Members, United Nations officials, and experts on missions for the United Nations. Ex. J (91st, 1st). Resolution of ratification agreed to 3/19/70.

Extradition treaty with New Zealand: Covers 32 extraditable offenses including, for the first time, aircraft hijacking and offenses relating to narcotics and other dangerous drugs. Ex. C (91st, 2d). Resolution of ratification agreed to 5/27/70.

Intellectual and industrial property conventions: Both Conventions refer to patents and copyrights. The Convention Establishing the World Intellectual Property Organization is to be responsible for the overall administrative activities of related organizations and the promotion of the protection of intellectual property on a worldwide basis, and the Paris Convention for the Protection of Industrial Property revised the Industrial Property Convention to bring its finances and structure and that of its Secretariat into line with the more modern principles of international organization. Ex. A (91st, 1st). Resolution of ratification agreed to 2/28/70.

Protocol to the Northwest Atlantic Fisheries Convention: Provides for the removal of the Convention's restrictions relating to (1) the number of commissioners on each of the special panels established by the Convention; and (2) the kinds of measures which the International Commission for the Northwest Atlantic Fisheries may propose in order to achieve optimum utilization of fish stocks in the Convention area. Ex. I (91st, 1st). Resolution of ratification agreed to 3/19/70.

Radiotelephone stations agreement with Canada: Provides for the reciprocal issuance of permits by the United States and Canada to licensed private operators of radiotelephone stations of one country while temporarily in the jurisdiction of the other. Ex. A (91st, 2d). Resolution of ratification agreed to 5/27/70.

Supplemental extradition convention with France: Principally designed to add to the list of extraditable offenses that of aircraft hijacking, and to clarify and expand the offenses relating to narcotics, which now will include hallucinogenic and other dangerous drugs. Ex. F (91st, 2d). Resolution of ratification agreed to 9/21/70.

Tax convention with Belgium: This convention for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income relates to such matters as the definition of a permanent establishment, the treatment of income from real property, business profits, dividends, interest and royalties, and the taxation of social security payments and private pensions and annuities. Ex. I (91st, 2d). Resolution of ratification agreed to 11/25/70.

Tax convention with Finland: This convention for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income and property covers such matters as the definition of a permanent establishment, taxes on dividends, interest, royalties, income from real property, capital gains,

private pensions, alimony, annuities, social security payments, income from the operation of ships or aircraft and the taxation of industrial or commercial profits, personal service income from teaching or research, and tax exemptions for students and trainees. Ex. E (91st, 2d). Resolution of ratification agreed to 11/25/70.

Tax convention with the Netherlands: This convention for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on estates and inheritances relates to such matters as the tax treatment of immovable property and property forming part of a permanent establishment, taxation on the basis of domicile and citizenship, and credits for taxes imposed by either country. In addition, there is a related protocol which sets forth understandings regarding certain matters of interpretation and application of the convention. Ex. G (91st, 1st). Resolution of ratification agreed to 11/25/70.

Tax convention with Trinidad and Tobago: This convention for the avoidance of double taxation, the prevention of fiscal evasion with respect to taxes on income, and the encouragement of international trade and development relates to such matters as the definition of a permanent establishment, taxes on business profits and the income from the operation of ships or aircraft, interest, royalties, and dividends. The treaty was approved by the Senate subject to the following reservation: "The Government of the United States does not accept article 7 of the convention relating to tax deferral for technical assistance." Ex. D (91st, 2d). Resolution of ratification agreed to 11/25/70.

United Nations headquarters expansion: Authorizes a \$20 million appropriation to the Secretary of State for a grant to be made to the United Nations to defray a portion of the cost of the expansion and improvement of its headquarters in New York City. S.J. Res. 173. P/S 7/10/70. P/H amended 12/21/70.

U.S.-U.S.S.R. political exchange program: Authorizes travel to the U.S.S.R. for not more than 1,000 elected U.S. officials—including Members of Congress—and their spouses during a period of 5 years beginning February 1, 1971; provides for efforts to facilitate comparable trips to the United States by Soviet officials; authorizes up to \$5 million for the program over the 5-year period S. 3127. P/S 4/20/70.

Water pollution research—Fifth International Conference: Seeks the cooperation of the Federal and State Governments and all interested persons and organizations to assist in the Fifth International Conference on Water Pollution to be held in San Francisco, California, from July 26 through August 1, 1970, and which will be reconvened in Honolulu, Hawaii, from August 2 through August 5, 1970. S.J. Res. 162. P/S 3/19/70.

World environmental institute: Expressed the sense of the Senate relating to the creation of a World Environmental Institute to aid all nations of the world in solving common environmental problems of both national and international scope S. Res. 399. Senate adopted 10/9/70.

LABOR AND MANAGEMENT

Employment and Manpower Act: Creates a new system of prime sponsors of manpower programs; authorizes for employment and manpower training programs \$2 billion, \$2.5 billion, and \$3 billion for fiscal years 1972, 1973, and 1974, respectively, with a third earmarked for comprehensive manpower services programs (title I), a third for public service employment (title III), and a third for occupational upgrading (title II) and consolidated special Federal responsibilities and programs (title IV), with authority given to the Secretary of Labor to transfer 25 percent out of any title to any other titles; authorizes an additional \$200 million, \$400 million, \$600 million and \$800 million for fiscal years 1971 through 1974, respectively, for the new public service unemployment program; authorizes for emergency employment assistance \$200 million if national unemployment equals or exceeds 4½ percent for three consecutive months and \$200 million more if it equals or exceeds 5 percent for three consecutive months; creates new special programs (title VI) for Indians, migrant and seasonal farmworkers, Spanish-speaking and other persons of limited English-speaking ability, and middle-aged and older workers; and contains other provisions. S. 3867. President Nixon vetoed 12/16/70. Senate sustained veto 12/21/70.

Employment opportunities for the blind: Amends the Randolph-Sheppard Act to enlarge the employment opportunities of qualified blind persons through the operation of vending facilities on federally controlled property. S. 2461. P/S 9/28/70.

Employment opportunities for the blind and severely handicapped: Amends the Wagner-O'Day Act to extend the special priority in the selling of certain products to the Federal Government now reserved for the blind to the other severely handicapped, assuring, however, that the blind will have first preference, and to expand the category of contracts under which the blind and severely handicapped would have priority to include services as well as products, reserving to the blind first preference for 5 years after enactment. S. 3425. P/S 9/28/70.

Equal Employment Opportunities Enforcement Act: Amends title VII of the Civil Rights Act of 1964 to provide the Equal Employment Opportunity Commission with a method for enforcing the rights of those workers who have been subjected to unlawful employment practices; includes the issuance of a complaint by the Commission after an investigation and efforts to conciliate followed by a full administrative hearing on the record, the issuance of a cease and desist order by the Commission, and an opportunity for review by an appropriate court of appeals; provides that the Commission may seek court enforcement in cases pending at the time of enactment and permits the transfer of the Attorney General's pattern or practice action to the Commission in 3 years; expands coverage, over a 2-year period, of employers and labor organizations, from those having 25 or more employees or

members to those having eight or more employees or members and includes coverage of State and local employees; expands from 90 to 180 days the time limitation on a direct filing charge to the Commission and from 210 to 300 days a filing charge first brought under a State or local law; and contains a number of administrative changes. S. 2453. P/S 10/1/70. H.R. 17555. H. Cal.

Occupational Safety and Health Act: Designed to reduce the number and severity of work-related injuries and illnesses through programs of research, education and training, and through the development and administration, by the Secretary of Labor, of uniformly applied occupational safety and health standards; established a three-member Occupational Safety and Health Review Commission to adjudicate enforcement cases, with further review available in the courts; encouraged Federal-State cooperation and authorized financial assistance to enable States, under approved plans, to administer programs for achieving safe and healthful jobsites for the Nation's workers; provided penalties for violations under the act; authorized for each fiscal year such sums as Congress deems necessary; and provided that the act take effect 120 days after enactment. Public Law 91-596.

Railroad Adjustment Board: Amended the Railway Labor Act to revise the organizational structure of the first division of the National Railroad Adjustment Board made necessary by the merger of unions representing the trainmen, firemen, conductors, and switchmen into a new union, the United Transportation Union. Public Law 91-234.

Railroad retirement: Provided for a tax on railroad employers to cover the costs of the supplemental annuity program for employees; placed that program on a permanent basis; and provided that any individual who renders service as an employee for compensation after the "supplemental annuity closing date" applicable to him will not be entitled to a supplemental annuity. Public Law 91-215.

Railroad Retirement Act amendments: Amended the Railroad Retirement Act of 1937 to provide temporarily (until June 30, 1972) a 15-percent increase in annuities retroactive to January 1, 1970; provided that a study of the railroad retirement system and its financing be made by a 5-member Commission which is to submit its recommendations to the president and Congress no later than July 1, 1971; and, in order to produce additional income for the retirement account, provided for a change in the procedure under which special obligations issued to the retirement account are redeemed to make benefit payments, as well as a change in the interest computation rate on obligations to the account. Public Law 91-377.

Amends the Railroad Retirement Act to provide that employment as an elected or appointed public official shall not be regarded as "compensated service," from which the individual would normally be required to retire to qualify for an annuity, so long as the compensation for such employment does not exceed \$5,000

per year and if such individual also has a current connection with the railroad industry at the time of his retirement. S. 988. P/S 10/9/70.

Railroad Safety Act and Hazardous Materials Transportation Control Act: Designed to promote safety in all areas of railroad operation and to reduce railroad-related accidents, and to reduce deaths and injuries to persons and damage to property caused by accidents involving any carrier of hazardous materials; authorized \$21 million for each of fiscal years 1971, 1972, and 1973 for Title II (Railroad Safety) and \$1 million for each of those fiscal years for Title III (Hazardous Materials Control). Public Law 91-458.

Railway labor-management disputes: Prevented a nationwide strike on railroads throughout the United States scheduled to occur at midnight, March 3, 1970, and provided that for the 37-day period beginning with the enactment of this legislation (until April 11, 1970), strikes and lockouts occurring as a result of this dispute were prohibited. Public Law 91-203.

Prevented a nationwide strike on railroads throughout the United States which was previously prohibited by Public Law 91-203 by putting into effect a "memorandum of understanding," dated December 4, 1969, which memorandum was agreed to by the railroads and negotiators for the four shopcraft unions involved in the dispute and which is subject to renegotiation commencing September 1, 1970, for changes effective on or after January 1, 1971. Public Law 91-226.

Extended until March 1, 1971, a temporary prohibition of strikes or lockouts with respect to a labor-management railway dispute, and provided for the railway employees concerned a 5-percent pay increase effective retroactive to January 1, 1970, and a 32-cent hourly increase retroactive to November 1, 1970. Public Law 91-541.

Vocational Rehabilitation Act extension: Extended for 1 year through fiscal year 1972, programs under the Vocational Rehabilitation Act, and authorized therefor \$1,010,000,000. H.R. 19401. Public Law 91- .

MEMORIALS AND TRIBUTES

Apollo 13 astronauts: Expressed the Senate's commendation of the Apollo 13 astronauts—James Lovell, John L. Swigert, Jr., and Fred W. Haise, Jr.—for their fortitude and courage. S. Res. 388. Senate adopted 4/14/70.

Clifford Davis Federal Building: Named a Federal building in Memphis, Tennessee for the late Clifford Davis who served in the House of Representatives. H.R. 19890. Public Law 91- .

Commendation of heroism of airline pilots: Expressed the sense of the Senate that Eastern Airlines Captain Robert M. Wilbur, Jr., and his co-pilot, the late James E. Hartley, be commended for their heroic action in averting a major air disaster on March 17, 1970. S. Res. 375. Senate adopted 3/24/70.

Dr. Enoch A. Bryan Reservoir: Designated the reservoir created by Little Goose lock and dam on the Snake River,

Washington, as Lake Bryan, in honor of Dr. Enoch A. Bryan, prominent author, economist, and educator, in recognition of his outstanding contributions to both the State in which the project is located and to the Nation. H.R. 13862. Public Law 91—

Everett McKinley Dirksen Building: Named the existing Federal Office Building and United States Courthouse in Chicago, Illinois, in memory of the late Everett McKinley Dirksen, who served as a Member of Congress from Illinois from 1933 to 1969. Public Law 91-237.

Federal Buildings named for John W. McCormack, George H. Fallon, and William C. Cramer: Named the U.S. Post Office and Court House located in Boston, Massachusetts, as the "John W. McCormack Post Office and Court House"; the Federal Office Building located in Baltimore, Maryland, as the "George H. Fallon Federal Office Building"; and the Federal Office Building located in St. Petersburg, Florida, as the "William C. Cramer Federal Office Building." H.R. 19857. Public Law 91—

General Charles De Gaulle: Expressed to his family and to the people of France the deepest sympathy of the Senate upon learning of the death of General Charles de Gaulle, former President of the French Republic. S. Res. 481. Senate adopted 11/16/70.

Goddard Rocket and Space Museum: Provided congressional recognition of the Goddard Rocket and Space Museum of the Roswell Museum and Art Center, Roswell, New Mexico, as a fitting memorial to Dr. Robert H. Goddard, an outstanding pioneer in American rocketry. S. Con. Res. 49. Senate adopted 4/7/70. House adopted 9/14/70.

Harry S. Truman Dam and Reservoir, Missouri: Renamed the Kaysinger Bluff Dam and Reservoir, Osage River Basin, Missouri, in honor of the 33rd President of the United States, the Honorable Harry S. Truman. Public Law 91-267.

Henry Holland Buckman Lock: Renamed the St. John's lock of the Cross-Florida Barge Canal the "Henry Holland Buckman lock." H.R. 956.

Honor America Day: Granted Congressional recognition to the importance of the July 4, 1970, Honor America Day celebrations. H. Con. Res. 669. House adopted 6/29/70. Senate adopted 7/1/70.

Jewish Citizens of the Soviet Union: Expressed the concern of the Senate regarding the continued injustices suffered by Jewish citizens of the Soviet Union. S. Res. 501. Senate adopted 12/29/70.

John H. Overton Lock and Dam: Designated as the John H. Overton Lock and Dam, the lock and dam authorized to be constructed on the Red River near Alexandria, Louisiana, in recognition of the outstanding accomplishments made in the water resources development of our Nation by the late Senator John H. Overton. H.R. 14683. Public Law—

Jose Antonio Navarro commemorative medals: Authorized the Secretary of the Treasury to strike and furnish to the San Antonio Conservation Society 100,000 medals in commemoration of the many contributions to the founding and early development of the State of Texas and the city of San Antonio by Jose Antonio Navarro. Public Law 91-244.

Mary McLeod Bethune Memorial: Extended for 4 years the existing authority for the erection in the District of Columbia of a memorial in honor of Mary McLeod Bethune, a prominent Negro educator, and in commemoration of the 100th anniversary of the signing of the Emancipation Proclamation. Public Law 91-277.

McClellan-Kerr Arkansas River Navigation System: Renamed the Arkansas River navigation and comprehensive development program the "McClellan-Kerr Arkansas River Navigation System" in honor of Senators McClellan and Kerr who played a major role in the development of the Arkansas River project, and renamed certain other projects on the Arkansas River. H.R. 13493. Public Law 91—

Michael J. Kirwan Dam and Reservoir: Changed the name of the West Branch Dam and Reservoir, Mahoning River, Ohio, to the Michael J. Kirwan Dam and Reservoir in honor of the late Michael J. Kirwan who served in the House of Representatives. H.R. 18858. Public Law 91—

Newt Graham lock and dam: Designated lock and dam No. 18 on the Verdigris River, Oklahoma, as the Newt Graham lock and dam, and the lake created thereby as the Newt Graham Lake, in honor of Newton R. Graham who contributed to the comprehensive development of the Arkansas River Basin. Public Law 91-585.

Ohio Northern University commemorative medals: Authorized the Secretary of the Treasury to strike and furnish to Ohio Northern University 16,000 national medals commemorating the 100th anniversary of the founding on August 15, 1871, of Ohio Northern University located in Ada, Ohio. Public Law 91-381.

Ohio Northern University's 100th anniversary: Extended Congress congratulations and greetings to Ohio Northern University on the occasion of the 100th anniversary of its founding. H. Con. Res. 575. House adopted 4/29/70. Senate adopted 6/26/70.

Ohio State University's 100th anniversary: Extended Congress congratulations and greetings to Ohio State University on the occasion of the 100th anniversary of its founding. H. Con. Res. 573. House adopted 4/29/70. Senate adopted 6/26/70.

Pakistan cyclone and tidal waves: Extended the deepest sympathy of the Senate to the President and people of Pakistan in their suffering and distress resulting from the cyclone and tidal waves on November 13, 1970. S. Res. 484. Senate adopted 11/19/70.

Peruvian earthquake: Extended the sympathy of the Senate to the President and the people of Peru in their suffering and distress resulting from an earthquake on May 31, 1970. S. Res. 424. Senate adopted 6/29/70.

Pick-Sloan Missouri River Basin program: Designated the comprehensive Missouri River Basin development program as the Pick-Sloan Missouri Basin program in honor of W. G. Sloan and General Lewis A. Pick who contributed to the development of the water resources of the Nation and the Missouri River Basin. Public Law 91-576.

Prisoners of war: Expressed the sense of the Senate that during the half-time activities in the Army-Navy football game on November 28, 1970, there be appropriate ceremonies and activities designed to express concern for those individuals missing in action in Southeast Asia or being held captive as prisoners of war by the Government of North Vietnam. S. Res. 475. Senate adopted 10/12/70.

Prisoners of war held captive by North Vietnam—joint Army-Air Force liberation effort: Provided that the official command, officers and men involved in the military expedition of November 21, 1970, seeking release from captivity of United States prisoners of war believed to be held by the enemy near Hanoi, North Vietnam, be commended for the courage they displayed in this hazardous and humanitarian undertaking which has lifted the hopes and spirits of our brave men imprisoned and fighting, as well as Americans everywhere. S. Res. 486. Senate adopted 12/19/70.

Sam Rayburn Memorial Veterans' Center: Renamed the Veterans' Administration center at Bonham, Texas, the Sam Rayburn Memorial Veterans' Center for the late Sam Rayburn, who served as Speaker of the House of Representatives longer than any other Member of the House in the history of the United States. Public Law 91-421.

Senate Majority Leader Mike Mansfield: Extended to Mike Mansfield the gratitude and admiration of the Senate for his outstanding performance as a Senator and as a Majority Leader, whereas he completed, on June 19, 1970, 9 years and 167 days as Majority Leader of the United States Senate, a period of service exceeding that of any previous Majority Leader in the history of the United States Senate. S. Res. 423. Senate adopted 6/25/70.

Stone Mountain Memorial medals: Authorized the Secretary of the Treasury to strike and furnish to the Stone Mountain Memorial Foundation 500,000 medals in commemoration of the completion of the carvings on Stone Mountain, Georgia, depicting heroes of the Confederacy. Public Law 91-254.

Tribute to General Omar N. Bradley and Allied World II victory in Europe: Expressed the sense of Congress that, on the occasion of the 25th anniversary of V-E Day, and the formal opening of the General Omar N. Bradley historical collection, appropriate ceremonies be conducted at Carlisle Barracks, Pennsylvania. H. Con. Res. 207. House adopted 5/19/69. Senate adopted 2/10/70.

U.S.S. "Utah": Authorized the Secretary of the Navy to provide for erection of a flagpole on the remains of the battleship, U.S.S. "Utah", the flying of the American flag over the remains of such battleship and the raising and lowering of such flag each day—such action in honor of the heroic men entombed in her hull on December 7, 1941. Public Law 91-456.

William "Bill" Dannelly Reservoir, Alabama: Changed the name of the Miller Ferry lock and dam, Alabama River, Alabama, as a tribute to Judge William "Bill" Dannelly, for his role in the de-

velopment of the water resources of the Alabama-Coosa River Basin. Public Law 91-583.

William G. Stone Navigation Lock, California: Designated the lock on the Sacramento deepwater ship channel in the State of California as the William G. Stone navigation lock in honor of the late William G. Stone, whose efforts contributed so much to the development of this project. Public Law 91-574.

PROCLAMATIONS

Clean Waters for America Week: Authorized the President to issue a proclamation designating the first full calendar week in May of 1971 "Clean Waters for America Week." Public Law 91-594.

"Day of Bread" and "Harvest Festival Week": Designated October 6, 1970, as "Day of Bread" and the week of October within which it falls as a period of "Harvest Festival". Public Law 91-433.

Father's Day: Authorized the President to designate the third Sunday in June of 1971 as "Father's Day". Public Law 91-595.

International Clergy Week: Authorized the President to issue a proclamation designating the week commencing February 1, 1970, as "International Clergy Week in the United States". Public Law 91-192.

International Petroleum Exposition: Authorizes the President to invite by proclamation or otherwise the States and foreign nations to participate in the International Petroleum Exposition to be held in Tulsa, Oklahoma, from May 15 through May 23, 1971, for the purposes of exhibiting products used in the production and marketing of oil and gas and bringing together buyers and sellers for the promotion of foreign and domestic trade and commerce for such products. S.J. Res. 127. P/S 2/17/70.

Law Officers Appreciation Week: Authorizes the President to proclaim the period October 25 through 31, 1970, as Law Officers Appreciation Week. S.J. Res. 225. P/S 9/18/70.

Mineral Industry Week: Authorized the President to issue a proclamation designating the period of February 13-19, 1970, as "Mineral Industry Week". Public Law 91-195.

National Arbor Day: Authorized the President to proclaim the last Friday of April 1970 as "National Arbor Day". Public Law 91-236.

National Blood Donor Month: Authorized the President to issue annually a proclamation designating the month of January of each year as "National Blood Donor Month". Public Law 91-507.

National Clown Week: Authorized the President to issue a proclamation designating the week of August 1 through August 7, 1971, as "National Clown Week". Public Law 91-443.

National Employ the Handicapped Week: Established the first week in October of each year as "National Employ the Handicapped Week" so as to broaden "National Employ the Physically Handicapped Week" to all handicapped workers. Public Law 91-442.

National Employ the Older Worker Week: Authorized the President to designate the first full calendar week in May

of 1971 as "National Employ the Older Worker Week". Public Law 91-593.

National Machine Tool Week: Authorized the President to designate the period beginning September 20, and ending September 26, 1970, as "National Machine Tool Week". Public Law 91-395.

National Multiple Sclerosis Society Annual Hope Chest Appeal Weeks: Authorized the President to designate the period from May 9, 1971, Mother's Day, through June 20, 1971, Father's Day, as "National Multiple Sclerosis Society Annual Hope Chest Appeal Weeks". Public Law 91-592.

National Park Centennial Year: Requested the President to designate 1972 as "National Park Centennial Year" and created a special commission to prepare and execute the plans for the commemoration of the 100th anniversary of the establishment of the world's first national park, Yellowstone, on March 1, 1872. Public Law 91-332.

National PTA Week: Authorized the President to designate the period beginning October 5, 1970, and ending October 9, 1970, as National PTA Week. Public Law 91-434.

National Retailing Week: Authorized the President to proclaim the period January 10, 1971, through January 16, 1971, as "National Retailing Week." Public Law 91-526.

National Volunteer Firemen's Week: Authorized the President to proclaim the period October 24 to October 31, 1970, as National Volunteer Firemen's Week. Public Law 91-445.

Prisoners of war and servicemen missing in action in Southeast Asia: Expressed the sense of Congress that May 1, 1970, be commemorated as a day for an appeal for international justice for all American prisoners of war and servicemen missing in action in Southeast Asia; that avenues be sought to insure treatment of these men in accord with the Geneva Convention standards; that every possible effort be made to secure their early release from captivity; and that the President designate Sunday, May 3, 1970, as a National Day of Prayer for humane treatment and the safe return of these brave Americans. H. Con. Res. 582. House adopted 4/23/70. Senate adopted 4/27/70, amended. House agreed to Senate amendments 4/28/70.

Project Concern Month: Authorized the President to issue a proclamation that the month of October 1970 be observed as "Project Concern Month." Public Law 91-436.

RESOURCE BUILDUP

Anadromous Fish Conservation Act Amendments: Extended and expanded the program for the conservation, development, and enhancement of the Nation's anadromous fish and the fish in the Great Lakes that ascend streams to spawn; and authorized for the program \$6 million, \$7.5 million, \$8.5 million and \$10 million for fiscal years 1971, 1972, 1973, and 1974, respectively. Public Law 91-249.

Andersonville National Historic Site, Georgia: Established the Andersonville National Historic Site, Georgia, authorizing the appropriation of \$362,000 for the acquisition of lands and \$1,605,-

000 for development of the area. Public Law 91-465.

Apostle Islands National Lakeshore, Wisconsin: Authorized the establishment of the Apostle Islands National Lakeshore in Wisconsin, exclusive of Indian trust lands, and authorized to be appropriated \$4.25 million for land acquisition and \$5 million for development of the project. Public Law 91-424.

Arches National Park, Utah: Establishes the Arches National Park in the State of Utah, consisting of some 73,154 acres, the greater part of which are now in Federal ownership, and protects, for a limited period, existing uses respecting grazing and the trailing and watering of livestock. S. 532. P/S 7/1/70.

Big Thicket National Park, Texas: Establishes the Big Thicket National Park in Texas to preserve an area of outstanding botanical and zoological values, together with scenic and other natural attributes of great significance. S. 4. P/S 12/16/70.

Blue Lake, California: Designated the lake formed by the waters impounded by the Butler Valley Dam, California, as Blue Lake. H.R. 19855. Public Law 91- .

Canyonlands National Park, Utah: Extends the boundaries of the Canyonlands National Park by adding to the park approximating 257,640 acres four additional tracts which, for the most part, are public lands totaling approximately 79,618 acres. S. 26. P/S 7/15/70.

Cape Cod National Seashore, Massachusetts: Authorized the appropriation of an additional \$17,401,000 to assure the acquisition of all remaining non-Federal lands needed to make the Cape Cod National Seashore a meaningful unit of the national park system. Public Law 91-252.

Capitol Reef National Park, Utah: Establishes the Capitol Reef National Park in Utah and provides for a total park area of 230,837 acres. S. 531. P/S 7/1/70.

Central and Western Pacific Tuna Fishery Development Act: Authorizes the Secretary of the Interior to institute a 3-year program for the development of latent tuna resources of the central and western Pacific and authorizes to be appropriated for the period July 1, 1970, to June 30, 1973, the sum of \$3 million to remain available until expended. S. 3176. P/S 5/22/70.

Central Valley reclamation project, Black Butte project: Integrated the existing Black Butte project into the financial and operation plan of the Central Valley reclamation project in California. Public Law 91-502.

Cherokee Strip, Kansas-Oklahoma: Directed the Secretary of the Interior to cause a study to be made of the feasibility and desirability of establishing a unit of the national park system commemorating the opening of the Cherokee Strip to homesteading, the recognition of the historic trails of the old Southwest, and the restoration of some of the outstanding examples of the natural prairie scene. Public Law 91-462.

Chesapeake and Ohio Canal National Historical Park: Established and developed the Chesapeake and Ohio Canal National Historical Park in the District of Columbia and the States of Maryland and West Virginia, and would thus pre-

serve an outstanding recreational, natural, and historical resource for public enjoyment and appreciation. H.R. 19342. Public Law 91—

Classification and Multiple Use Act and the Public Land Sale Act extensions: Extends the Classification and Multiple Use Act and the Public Land Sale Act for a period of 5 years to December 31, 1975. S. 3728. P/S 7/8/70.

Coffeeville Lock and Dam, Alabama: Designated the Jackson lock and dam on the Tombigbee River, Alabama, as the Coffeeville lock and dam. H.R. 8933. Public Law 91—

Connecticut Historic Riverway: Establishes a Connecticut Historic Riverway along the southernmost section of the Connecticut River in Connecticut, to consist of some 23,500 acres, and authorizes \$23 million to carry out the provisions of the legislation. S. 4090. P/S 10/7/70.

Coral reefs conservation: Authorized the Secretaries of Interior and the Smithsonian Institution to expend \$4.5 million until June 30, 1970 in cooperation with the territories of Guam, American Samoa, the Trust Territory of the Pacific Islands, other United States territories in the Pacific Ocean, and the State of Hawaii, for the conservation of their protective and productive coral reefs. Public Law 91—427.

Craters of the Moon National Monument, Idaho: Designates 40,785 acres of the Craters of the Moon National Monument in Idaho as part of the national wilderness preservation system. S. 1732. P/S 6/15/70.

East Greenacres Unit, Rathdrum Prairie Project, Idaho: Authorized construction, operation, and maintenance of the East Greenacres unit of the Rathdrum Prairie Reclamation Project in northwest Idaho, which unit would supply irrigation water to 5,230 acres and municipal and industrial water, and provide fish and wildlife conservation and public recreation benefits. Public Law 91—286.

Environmental Education Act: Established within the Office of Education, an Office of Environmental Education which, under the supervision of the Commissioner of Education shall be responsible for the administration of the grant and contract projects and programs authorized and the coordination of activities of the Office of Education which are related to environmental education; authorized \$5 million, \$15 million, and \$25 million for fiscal years 1971 through 1973, respectively, for carrying out the provisions of the act. Public Law 91—516.

Everglades National Park, Florida: Provided for acquisition by the National Park Service of the remaining inholdings within the Everglades National Park boundaries consisting of some 58,400 acres of privately owned lands and for such land purchases authorized an additional \$20 million. Public Law 91—428.

Falls of the Ohio Interstate Park compact: Granted the consent of Congress to the Falls of the Ohio Interstate Park Compact to carry out an agreement between Indiana and Kentucky to create and develop an interstate park known as Falls of the Ohio Interstate Park, located on the Ohio River in Clark and

Floyd Counties, Indiana, and Jefferson County, Kentucky, and to create a six-member commission to operate the park. Public Law 91—390.

Federal Water Pollution Control Act Amendments: Amended the Federal Water Pollution Control Act to declare a U.S. policy that there should be no oil discharges into navigable waters of the U.S., adjoining shorelines or waters of the contiguous zone; to authorize the President to determine by regulation what harmful quantities of oil cannot be discharged without violation of the Act, and to designate those discharges, other than oil, which constitute dangerous substances; to provide penalties for failure to give proper notification of a knowing discharge of oil and violation of restrictions; to authorize the President to act to remove oil unless properly done by the responsible owner or operator; to provide for a National Contingency Plan for removal of oil; to provide, in the event a marine disaster has created a substantial threat of a pollution hazard, for removal of the threat; and, unless an act of God, war, U.S. government negligence or an act or omission of a third party to be shown, liability to the U.S. for a discharge shall be not to exceed \$100 per gross ton or \$14 million, whichever is lesser, for a vessel and \$8 million for an onshore or offshore facility, unless the discharge resulted from willful negligence or misconduct, when there shall be full liability for the costs. The Act also included provisions for control of sewage from vessels, area acid and other mine water pollution control demonstrations; pollution control in the Great Lakes; training grants and contracts with institutions for training in water quality control; Alaska village demonstration projects; cooperation by all federal agencies in the control of pollution; and establishment of an Office of Environmental Quality. Public Law 91—224.

Fish and Wildlife Restoration Act Amendments: Encouraged comprehensive planning by the State fish and game departments, increased the revenues available to the States for wildlife restoration projects, and provided funds to be used by the States to carry out programs supporting hunter safety. Public Law 91—503.

Fisheries loan fund extension: Amended the Fish and Wildlife Act of 1956 to extend the life of the fisheries loan fund an additional 10 years, from June 30, 1970, until June 30, 1980. Public Law 91—387.

Ford's Theatre national historical site: Designated Ford's Theatre, the Lincoln Museum, and the House Where Lincoln Died, as the Ford's Theatre National Site, and added to that complex certain property in the District of Columbia adjacent to the Theatre. Public Law 91—288.

Fort Point channel, Boston, Massachusetts: Granted the consent of Congress to the city of Boston to construct, maintain, and operate a causeway and fixed-span bridge in Fort Point Channel, Boston, Massachusetts. H.R. 17750. Public Law 91—

Fort Point National Historic Site, California: Authorized the establishment of the Fort Point National Historic Site in San Francisco, California, and authorized an appropriation of \$5,250,000 for development of the site, Public Law 91—457.

Geothermal resource development: Opened to exploration and development, through private enterprise, the geothermal steam and associated geothermal resources underlying certain of the public domain lands of the United States. Public Law 91—581.

Glen Canyon National Recreation Area, Arizona and Utah: Affords permanent, statutory protection to the scenic Glen Canyon National Recreation Area, which is presently administered under an Executive Order, S. 27. P/S 7/15/70.

Golden Eagle program: Renewed until December 31, 1971, the Golden Eagle passport program but increased from \$7 to \$10 the annual cost of the permit allowing entry into Federally administered outdoor recreation areas; provided advance contract authority to enable Federal agencies to acquire land for outdoor recreation. Public Law 91—308.

Historic properties: Extend the national historic preservation program established by Congress in 1966 (Public Law 89—665) and authorized \$7 million, \$10 million and \$15 million for fiscal years 1971, 1972 and 1973, respectively; provided for an increase in the size of the Advisory Council on Historic Preservation; authorized limited United States participation in the International Centre for the Study of the Preservation and Restoration of Cultural Property, and in this connection, authorized a maximum appropriation of \$100,000 in each of fiscal years 1971, 1972, and 1973. Public Law 91—243.

Homestead National Monument, Nebraska: Provided for the addition of the Freeman School and the 1.2 acres of land on which it is situated to the Homestead National Monument of America in Nebraska, and authorized appropriations of \$50,000 for rehabilitation and development of the school. Public Law 91—411.

Hudson River Compact negotiations: Extended until 1973 provisions of the act of September 26, 1966, which expired on September 26, 1969, with respect to applications for a license for an activity which may affect the resources of the Hudson Riverway and required the Secretary of the Interior to report on the progress of the negotiations on the Hudson River Compact by July 1, 1970, and annually thereafter. Public Law 91—242.

Ice Age National Scientific Reserve, Wisconsin: Authorized a limited appropriation of funds for Federal participation in the development, operation, and maintenance of the Ice Age National Scientific Reserve in Wisconsin, said Federal appropriations to supplement funds appropriated by Wisconsin for this purpose and other moneys from the State's share of allocations under the Land and Water Conservation Fund Act. Public Law 91—483.

International Peace Garden, North Dakota—authorization: Increases by \$1,054,000 the authorization for the appropriation of funds to complete the In-

International Peace Garden. S. 233. P/S 10/8/70.

Jellyfish control: Extended for an additional 3 years, through June 30, 1973, the program to provide for the control or elimination of jellyfish and other such pests in the coastal waters of the United States. Public Law 91-451.

King Range National Conservation Area, California: Directed the Secretary of the Interior to establish the King Range National Conservation Area in California; directed the Secretary to consolidate and manage the public lands within the area under a program of multiple use and sustained yield; and provided the Secretary with the necessary authority and management tools to block up the public lands, by acquisition or by exchange, with private holdings to eliminate the existing checkerboard land pattern. Public Law 91-476.

Lake Koocanusa, Montana: Designated the lake formed by Libby Dam, Montana, as Lake Koocanusa. H.R. 7334. Public Law 91-

Lake Ocklawaha: Renamed the Rodman Pool of the Cross Florida Barge Canal, Lake Ocklawaha. H.R. 12564. Public Law 91-

Lake Tahoe, Nevada and California: Directed the Secretary of the Interior to conduct a study of Lake Tahoe to determine the feasibility and desirability of establishing a national seashore on its shoreline and to transmit a report of findings and recommendations, including alternatives of accomplishing the environmental objective without disrupting present ownership patterns, to the President and Congress simultaneously, with 1 year, and authorized \$50,000 for conduct of the study. Public Law 91-425.

Marine Resources and Engineering Development Act Amendments: Extended to June 30, 1971 the National Council on Marine Resources and Engineering Development which expired on June 30, 1970. Public Law 91-414.

Middle Snake River: Suspends for 8 years the authority of the Federal Power Commission to accept applications or grant licenses or permits under the Federal Power Act for the construction of hydroelectric power projects on the reach of the Middle Snake River extending along the Idaho-Oregon and Idaho-Washington borders for 100 miles between the existing Hells Canyon Dam and the authorized Asotin Dam. S. 940. P/S 5/15/70.

Minam River Canyon wilderness: Adds up to 80,000 acres of Minam River Canyon area to the 220,000-acre Eagle Cap Wilderness, located in the northeastern section of Oregon, and which was established by the Wilderness Act of 1964. S. 1142. P/S 10/13/70.

Minute Man National Historical Park, Massachusetts: Authorized the Secretary of the Interior to revise the boundaries of the Minute Man National Historical Park to conform to the relocation of a State highway if he determines such relocation would be desirable for the administration, management, or interpretation of the park, and authorizes additional appropriations to complete the land acquisition program within the

existing boundaries of the park. Public Law 91-548.

Missouri River Basin: Authorized \$32 million for fiscal years 1971 and 1972 (including \$13,838,000 in the fiscal year 1971 budget) to continue the program of the Bureau of Reclamation for investigations and construction of the comprehensive plan for the Missouri River Basin project. Public Law 91-218.

Missouri River Basin project, Minot extension, Garrison diversion unit, North Dakota: Authorized construction, operation, and maintenance of the Minot extension of the Garrison diversion unit, Missouri River Basin project. Public Law 91-415.

Missouri River Basin project, Narrows unit, Colorado: Authorized construction, operation, and maintenance of the Narrows unit of the Missouri River project, which would be located on the South Platte River in northwestern Colorado to supply supplemental irrigation water to 166,370 acres and to provide flood control, fish and wildlife conservation, and recreation benefits and potential future municipal industrial water supplies; authorized \$68,050,000, for construction of the unit. Public Law 91-389.

Missouri River Basin project, Riverton extension unit, Wyoming: Consolidated the Riverton reclamation project, presently in operation, and the lands of the former Riverton extension unit of the Missouri River Basin project now in Federal ownership within a single authorized unit of the Missouri River Basin Project to provide a new repayment plan for the entire unit including necessary rehabilitation and betterment of existing facilities, writeoff of costs associated with the development of lands found to be nonproductive, and provision of repayment assistance from power revenues of the Missouri River Basin Project. Public Law 91-409.

Mount Baldy, Pine Mountain, and Sycamore Canyon Wilderness, Arizona: Designates areas in three national forest primitive areas in Arizona as the Mount Baldy Wilderness, Pine Mountain Wilderness, and Sycamore Canyon Wilderness, as part of the national wilderness preservation system. S. 710. P/S 6/12/70.

National mining and minerals policy: Established a national mining and minerals policy to foster and encourage the development of the domestic mining and minerals industry, the development of domestic mineral resources to meet industrial and security needs, mining, mineral, and metallurgical research, and study and development of methods for the disposal, control and reclamation of mineral waste products and reclamation of appropriations authorized for project

National park system administration: Updated and clarified the law with respect to the administration by the Secretary of the Interior of the various units of the national park system. Public Law 91-383.

Navajo Indian irrigation project, Colorado-New Mexico: Increased the amount of appropriations authorized for project construction from \$135 million to \$206 million and included 8 additional townships in the area from which the project lands may be obtained. Public Law 91-416.

Pacific marine fisheries compact amendments: Granted the consent of Congress to amendments to the Pacific marine fisheries compact as follows: by recognizing the adherence of Idaho and Alaska to the compact in addition to the three original member States (California, Oregon, and Washington); modifying the reference to the Pacific Ocean by the additional wording "and adjacent waters" in recognition of the State of Alaska's jurisdiction over the Bering Sea; and providing a more equitable way of apportioning costs of the activities of the Pacific Marine Fisheries Commission. Public Law 91-315.

Parks and recreation: Amended the Federal Property and Administrative Service Act to provide for the sale or lease of surplus Federal property to State and local governments at discounts up to 100 percent, for park and recreation use, and increased the minimum funding level of the land and water conservation fund from \$200 million to \$300 million a year beginning July 1, 1970. Public Law 91-485.

Point Reyes National Seashore, California: Authorized an additional \$38,365,000 to assure the acquisition of all remaining non-Federal lands needed to make the Point Reyes National Seashore a meaningful unit of the national park system. Public Law 91-223.

Public Land Outdoor Recreation Act: Grants the Secretary of the Interior authority to acquire land deemed necessary to provide public access to public land; authorizes exchange land, subject to the land being located in the same State, and an equalization of values requirement; provides sanctions for violations of the public land laws and regulations of the Secretary, who would be authorized to designate personnel to make arrests for such violations; places violations of Department regulations relating to the public land on the same basis as violations of regulations applicable to land administered by the Forest Service and the National Park Service. S. 3389. P/S 10/7/70.

Public ownership of lands in Federal reclamation projects: Clarified the acreage limitation provisions of the Federal reclamation laws with respect to lands owned by a State or local government entity or subdivision. Public Law 91-310.

Public works authorizations, 1970, rivers and harbors—flood control and multiple-purpose projects: Authorized \$683,599,000 for construction of certain navigation, beach erosion control, flood control, multiple purpose and related projects. H.R. 19877. Public Law 91-

Resource Recovery Act of 1970: Authorized \$460.75 million over 3 fiscal years, ending fiscal year 1973, for new and expanded programs under the Solid Waste Disposal Act; emphasized recycling, local planning, and training functions; authorized research programs; replaced 50 percent State grants for planning activities with 66 2/3 percent grants to single municipalities and 75 percent grants for planning solid waste programs in the area of more than one municipality or State; provided that grants may be used for (1) making surveys of solid waste problems, (2) preparing solid waste disposal plans (especially those

emphasizing recycling), (3) developing proposals for demonstration and construction grants, and (4) preparing plans for collecting and recovering abandoned motor vehicle hulks; provided for grants to varying sizes of communities to demonstrate resource recovery systems; directed the Secretary of Health, Education and Welfare to prepare guidelines on solid waste management practices for circulation to State and local governments and required him to recommend model codes and ordinances and issue technical information on solid waste and resource recovery methods to solid waste agencies; provided training grants to assist in the development of personnel trained in the design, operation and maintenance of solid waste disposal and recovery equipment and systems; required Federal installations and federally licensed activities to meet solid waste guidelines; authorized a 2-year study to create a system of national disposal sites for hazardous materials; created, and authorized \$2 million for a National Commission on Materials Policy to report by June 30, 1973; authorized an on-going study with annual reports on issues in resource recovery. Public Law 91-512.

River basin plans and civil works: Authorized additional appropriations of \$810 million to cover a period of 2 years ending calendar year 1971 for certain comprehensive river basin plans previously approved by Congress for flood control, navigation, and other purposes. Public Law 91-282.

Rogue River Basin Project, Oregon: Authorized the construction, operation, and maintenance of the Merlin division, Rogue River Basin reclamation project in Josephine County, Oregon, which division is a multiple-purpose water resource development serving irrigation water to more than 9,000 acres, for public outdoor recreation, fish and wildlife conservation, area redevelopment, and flood control. Public Law 91-270.

Saline Water Conversion Program: Authorized \$28,873,000 for fiscal year 1971 to continue the desalting research program of the Office of Saline Water, Department of the Interior. Public Law 91-221.

Sleeping Bear Dunes National Lakeshore, Michigan: Established in Michigan the Sleeping Bear Dunes National Lakeshore which is to encompass 71,168 acres of land and water, and for land acquisition authorized \$19,800,000 to be made from moneys in the land and water conservation fund and \$18,769,000 for development of the area. Public Law 91-479.

Susquehanna River basin compact: Brought the Federal Government into partnership with New York, Pennsylvania, and Maryland in a formal compact in order to form a Susquehanna River Basin Commission to facilitate Federal-State, interstate, and inter-agency cooperation in long-range comprehensive water resources planning for the Basin. Public Law 91-575.

Toiyabe National Forest, Nevada: Extended the boundaries of the Toiyabe National Forest to include 12,920 acres along the Nevada side of Lake Tahoe to

aid in the protection and management of the various resources of the area, including the protection, improvement, and maintenance of the watershed, wildlife, recreation, and natural environment values of the lands in the Lake Tahoe Basin, and to promote the management and protection of these lands under the principles of multiple use and sustained yield. Public Law 91-372.

"Totten Trail Pumping Station": Designated the pumping station at the Snake Creek arm of the reservoir formed by Garrison Dam, North Dakota, as the "Totten Trail Pumping Station." H.R. 3107. Public Law 91-

Touchet—Walla Walla Project, Oregon—Washington: Authorized \$22,774,000 for the construction and operation of the Touchet division of the Walla Walla reclamation project in southeastern Washington which will supply irrigation water to approximately 9,960 acres of land. Public Law 91-307.

Volunteers in the park program—establishment: Authorized the Secretary of the Interior to enlist the services of volunteers in programs directly related to the public service mission of the National Park Service and authorized \$100,000 annually for this purpose. Public Law 91-357.

Voyageurs National Park, Minnesota: Provided for the establishment of the Voyageurs National Park in the State of Minnesota. H.R. 10482. Public Law 91-

Washakie Wilderness, Wyoming: Designates the Stratified Primitive Area as a part of the Washakie Wilderness, heretofore known as the South Absaroka Wilderness, Shoshone National Forest, in Wyoming. S. 1468. P/S 10/14/70.

Water Resources Research Act amendments: Amends the Water Resources Research Act to increase the amount authorized to be appropriated for a water resource research center in each of the States from \$100,000 to \$200,000 annually for each center; provides for the establishment of information retrieval and dissemination activities at each research center; and makes the District of Columbia, Guam, and the Virgin Islands eligible to receive grants. S. 3553. P/S 9/1/70.

Wichita Mountain Wilderness, Oklahoma: Places 8,900 acres of the 59,000 acre Wichita Mountains National Wildlife Refuge in Oklahoma within the National Wilderness Preservation System, including the 5,000 acre Charons Garden Unit and the 3,900 acre North Mountain Unit. S. 3222. P/S. 4/27/70.

Wilderness areas: Designated as wilderness certain lands located within several national wildlife refuges, national parks and monuments, and national forests which areas are located in 12 States and together total 201,000 acres, as follows: Bering Sea Wilderness, Bogoslof Wilderness, Tuxedni Wilderness, St. Lazaria Wilderness, Hazy Island Wilderness, and Forrester Island Wilderness of Alaska; Three Arch Rock Wilderness and Oregon Islands Wilderness of Oregon; Washington Islands Wilderness, Washington; Salt Creek Wilderness, New Mexico; Island Bay Wilderness, Passage Key Wilderness, and Pelican Island Wilderness of Florida; Wichita Mountains Wil-

derness, Oklahoma; Seney Wilderness, Huron Islands Wilderness, and Michigan Islands Wilderness of Michigan; Wisconsin Islands Wilderness, Wisconsin; Moosehorn Wilderness, Maine; Monomoy Wilderness, Massachusetts; Craters of the Moon National Wilderness area, Idaho; The Petrified Forest National Wilderness Area and Mount Baldy Wilderness of Arizona. Public Law 91-504.

Wilson's Creek National Battlefield, Missouri: Authorized additional funds for the development of the unit of the national park system presently known as Wilson's Creek Battlefield National Park and redesignated the area as "Wilson's Creek National Battlefield." Public Law 91-554.

Youth Conservation Corps: Established a 3-year pilot Youth Conservation Corps program for young men and women, 15 through 18 years of age, who would participate in summer work and educational projects in national parks, forests, recreation areas, wildlife refuges and other public lands administered by the Departments of Interior and Agriculture. Public Law 91-378.

Yuma Mesa irrigation district, Arizona: Authorized for the Yuma Mesa Irrigation District, Gila Project, Arizona, "Irrigation works and facilities" to be constructed in addition to drainage facilities and authorized the existing repayment contract to be amended accordingly. Public Law 91-408.

SPACE

NASA authorization, 1971: Authorized \$3,410,878,000 for fiscal year 1971 for the National Aeronautics and Space Administration (\$2,693,100,000 for research and development, \$34,478,000 for construction of facilities, and \$683,300,000 for research and program management). Public Law 91-303.

National Aeronautics and Space Council: Provided that the Secretary of Transportation shall be a member of the National Aeronautics and Space Council. Public Law 91-406.

TAXATION

Application of investment credit recapture rule to leased aircraft: Provided that there is not to be a recapture of an investment credit previously allowed with respect to an airplane by reason of the use of the airplane outside the United States, if the airplane is not used in this manner for more than one-half the time period taken into account in determining the amount of the investment credit originally allowed. H.R. 17988. Public Law 91-

Articles intended for preventing conception: Removed the prohibitions against importing, transporting, and mailing in the U.S. mails articles for preventing conception. H.R. 4605. Public Law 91-

Beer tax amendments: Made a series of amendments to the beer tax provisions of the present law, which in general are designed to remove restrictions no longer needed for effective enforcement of the revenue and regulatory aspects of these provisions. H.R. 6562. Public Law 91-

Capitalization of costs of planting almond groves: Extends to almond groves

the provisions of the present law requiring that expenditures incurred in the first 4 years of the development of a citrus grove must be capitalized and written off over the life of the grove rather than expensed and deducted in the year the expenses were paid or incurred and requires that airline tickets and advertising show the total cost of taxable transportation by air. H.R. 19242. P/H 12/22/70. P/S amended 12/31/70.

Cemetery corporations: Extended the tax-exempt status presently granted under the Internal Revenue Code to cemetery corporations which are chartered for burial purposes to cemetery corporations which operate a crematorium, either alone or in conjunction with their burial activities. H.R. 16506. Public Law 91-.

Certain Cuban expropriation losses: Amends the provisions of the tax laws relating to the deduction of Cuban expropriation losses of individuals to permit the carryback and carryover of losses of an individual resulting from the Cuban expropriation of investment property. H.R. 18693. P/H 12/22/70. P/S amended 12/31/70.

Consolidated returns of life insurance companies: Amended the Internal Revenue Code of 1954 relating to computation of investment yield on life insurance company consolidated tax returns. H.R. 19881. P/H 12/22/70. P/S amended 12/31/70.

Credit for foreign taxes paid by certain foreign corporations: Modified in two respects the indirect foreign tax credit presently allowed domestic corporations for foreign income taxes paid by a first-tier or second-tier foreign corporations on earnings which are distributed to the domestic corporation. H.R. 18549. Public Law 91-.

Discriminatory State taxation of interstate carriers: Eliminates the long-standing burden on interstate commerce resulting from discriminatory State and local taxation of common and contract carriers transportation property by (a) amending the Interstate Commerce Act to declare unlawful, as an unreasonable and unjust discrimination against and an undue burden upon interstate commerce, a State or local tax rate, assessment, or collection upon the transportation property of a common or contract carrier at a higher level than upon property in the same taxing district, and (b) procedurally, by providing a remedy in the Federal courts for common and contract carriers against the collection of the excessive portion of any tax based upon such unlawful assessment or rate. S. 2289. P/S 1/30/70.

Distilled spirits: Made a series of amendments to the distilled spirits tax provisions of the Internal Revenue Code, which in general are designed to remove restrictions no longer needed for effective enforcement of the revenue and regulatory aspects of these provisions. H.R. 10517. Public Law 91-.

Duty exemption for shrimp boats and other "special service" vessels: Exempted in certain instances, shrimp vessels and other "special service" vessels from the duty imposed on repairs made to, and repair parts and equipment purchased for,

U.S. vessels in foreign countries. H.R. 16745. Public Law 91-.

Duty on parts of stethoscopes: Provided that the rate of duty on parts of stethoscopes shall be the same as the rate of duty on stethoscopes. H.R. 7311. Public Law 91-.

Duty suspensions:

Bicycle parts: Suspended the duties on certain bicycle parts and accessories until the close of December 31, 1973. H.R. 19670. Public Law 91-.

Copper: Continued from July 1, 1970 through June 30, 1972, the present suspension of duties applicable to unwrought copper (except nickel silver), copper waste and scrap, and copper articles imported to be used in remanufacture by melting; and continued the suspension of the additional duties applicable to the copper content of certain copper-bearing ores and materials for the same period. Public Law 91-298.

Dyeing and tanning materials: Continued for 3 years, until the close of September 30, 1972, the period during which certain dyeing and tanning materials may be imported free of duty. Public Law 91-388.

Electrodes: Continued until the close of December 31, 1972, the suspension of duties on electrodes imported for use in producing aluminum. H.R. 16940. Public Law 91-.

L-Dopa: Amended the Tariff Schedules of the United States by adding a new item to suspend for a period of 2 years the duty on L-Dopa, a new drug used in the treatment of Parkinsonism. Public Law 91-309.

Manganese ore: Continued until June 30, 1973, the existing suspension of duties on manganese ore. Public Law 91-306.

Manganese ores: Amended the definition of the term "metal-bearing ores" in the Tariff Schedules of the United States in order that imports of manganese ores which have been roasted and sintered will be classified as manganese ore under tariff schedules. H.R. 6049. Public Law 91-.

Duty treatment of certain previously exported aircraft: Amended the Tariff Schedules of the United States to provide for a partial exemption from duty thereunder for returned American aircraft which were manufactured in the United States with the use of foreign articles which had been admitted duty free under bond. H.R. 17068. Public Law 91-.

Duty-free entry of carillon for the University of California (Santa Barbara): Provides duty-free entry of a carillon for the use of the University of California at Santa Barbara. H.R. 14995. P/H 12/22/70. P/S amended 12/31/70.

Duty-free entry of carillons for Indiana University: Provided for the duty-free entry of a 61-note cast bell carillon and a 42-note subsidiary cast bell carillon for the use of Indiana University, Bloomington, Indiana. H.R. 19113. Public Law 91-.

Duty-free treatment for certain sample materials: Provided that imported articles on which the duty has been paid and which are subsequently exported, but reimported for failure to meet sample or specifications abroad shall be ac-

corded duty-free treatment in certain instances. H.R. 9183. Public Law 91-.

Elimination of multiple customs duties on horses temporarily exported for use in racing: Amended Tariff Schedules of the United States so as to prevent the payment of multiple customs duties in the case of horses temporarily exported for the purpose of racing. Public Law 91-570.

Excise, Estate, and Gift Tax Adjustment Act of 1970 and Treasury Working Capital Fund: Establishes a working capital fund for the Treasury Department; extends for two years the existing excise tax rates on automobiles and telephone service (7% and 10%, respectively); provides for accelerated collection of estate and gift taxes; shortens the period for filing estate tax returns from 15 months to 9 months, after decedent's death; and requires gift tax returns to be filed quarterly instead of annually. H.R. 16199. Public Law 91-.

Floor stocks refunds for cement mixers: Provided for floor stocks refunds in the case of taxpaid cement mixer bodies and parts and accessories which were in the hands of dealers on January 1, 1970. H.R. 17658. Public Law 91-.

Income tax treatment of certain sales by a corporation of real property held more than 25 years: Provided that a corporation which had held land for more than 25 years at the time of its sale and which acquired that land before 1934, as a result of a foreclosure of liens, may subdivide and sell that land and pay capital gains tax, rather than ordinary income tax, on the proportion of the gain exceeding 5 percent of the selling price. H.R. 19790. Public Law 91-.

Joint income tax return: Amended the Internal Revenue Code of 1954 to provide that in certain cases a spouse will be relieved of liability arising from a joint income tax return. H.R. 19774. Public Law 91-.

Losses on worthless stock: Reduced from 95 percent to 80 percent the amount of stock a parent corporation must own in a subsidiary corporation in order to claim an ordinary loss deduction for the stock it holds in the subsidiary corporation if this stock becomes worthless. H.R. 19369. Public Law 91-.

Manufacturers claims for floor stocks refunds and transitional rule for moving expenses: Extended the period for filing certain manufacturers claims for floor stocks refunds under the Excise Tax Reduction Act of 1965; modified the transitional rule for moving expenses to cover cases where the deduction for moving expenses relates to amounts paid or incurred before January 1, 1971, so long as the employees were notified by the employer of the move before December 19, 1969; and provided for a charitable tax deduction on a \$5 million gift made to the University of South Carolina. H.R. 17473. Public Law 91-.

Passive investment income: Amended section 1372 of the Internal Revenue Code of 1954, relating to application of the passive investment income test on the liquidation of a corporation. H.R. 19627. Public Law 91-.

Protest of customs decision by transferees of warehoused merchandise:

Amended section 557(b) of the Tariff Act of 1930 in order to grant to the transferee of merchandise in bonded warehouse the right to administrative and judicial review of customs decisions. H.R. 19391. Public Law 91—

Refunds in the case of certain uses of tread rubber: certain distilled spirits drawbacks: Amended the tax laws to provide credits or refunds of the manufacturers excise tax on tread rubber in certain instances and added a provision dealing with an amendment enacted in the 90th Congress, relating to drawbacks of tax on distilled spirits used for nonbeverage purposes. H.R. 18251. Public Law 91—

State income taxation of interstate carrier employees: Limited power to require withholding for tax purposes from income of interstate carrier employees to either the State in which such employee earned more than 50 per centum of the compensation paid to him by such carrier or the State of his residence; limited the power to require the filing of information returns to the State of residence and the State by which withholding may be required; and provided that the amendments shall become effective on the first day of the first calendar year after enactment. Public Law 91—569.

Statutory mergers: Amended the tax law to permit a tax-free statutory merger when stock of a parent corporation is used in a merger between a controlled subsidiary of the parent and another corporation, and the other corporation survives—here called a "reverse merger." H.R. 19562. Public Law 91—

Tariff classification of certain sugars, sirups, and molasses: Amended item 155.40 (relating to molasses, including dried molasses, for use other than the commercial extraction of sugar or human consumption) of the Tariff Schedules of the United States (TSUS) by broadening the article description to make certain other products derived from sugarcane and sugar beets dutiable at the existing rate (0.102 cent per pound of total sugars) imposed by such item; established a procedure for making such duty treatment applicable to such products which were entered after August 30, 1963, and before the date of enactment; and provided for the liquidation or re-liquidation of certain specified entries of sugar at Philadelphia at the rate of 0.012 cent per pound of total sugars. H.R. 7626. Public Law 91—

Tax Reform Act of 1969 amendments: Amended the transitional rule provisions of the Tax Reform Act of 1969 to provide that gain is not be recognized upon the distribution of appreciated property to a shareholder in redemption of part or all of his stock in the corporation (under sec. 311(d) of the code), where the transaction satisfies certain conditions. H.R. 17984. P/H 12-22-70. P/S amended 12-31-70.

Tax treatment of certain transfers of property to foreign corporations: Modified, in general, the advance ruling requirement which applies in the case of exchanges involving foreign corporations (sec. 367) to allow the required ruling under that provision to be obtained subsequent to the exchange in the case of a

transaction involving merely a change in the form of organization of a second or lower tier foreign subsidiary. H.R. 19686. Public Law 91—

Tax treatment of interest on Farmers Home Administration insured loans: Provided in an amendment to the Consolidated Farmers Home Administration Act that interest or other income paid to an insured holder on an insured loan sold out of the Agricultural Credit Insurance Fund is for income tax purposes to be included in gross income of the recipient of the interest. H.R. 15979. Public Law 91—

Transition rule for moving expenses: Modified the transitional rule for moving expenses to cover cases where the deduction for moving expenses relates to amounts paid or incurred before January 1, 1971 so long as the employees were notified by the employer of the move before December 19, 1969. H.R. 17917. P/H 12/22/70. P/S amended 12/31/70.

U.S.S. "Pueblo" crew—taxes: Provided that, for purposes of the Internal Revenue Code of 1954, members of the crew of the U.S.S. "Pueblo" who were illegally detained during 1968 by the Democratic People's Republic of Korea shall be treated as serving in a combat zone and will receive an exclusion from income tax for their pay for service in the Armed Forces; waived unpaid income taxes and Federal death taxes for the member of the crew killed during this period; and extended the time for filing tax returns, paying taxes, etc. for all personnel on the ship. Public Law 91—235.

Upholstery regulators, pins, and needles: Amended the tariff schedules of the United States and made duty free the imports of upholstery regulators, upholsterers' regulating needles, and upholsterers' pins. H.R. 10875. Public Law 91—

TRANSPORTATION AND COMMERCE

Accessibility of public facilities to physically handicapped: Provided that buildings and structures which must be used by the general public, such as subway stations and surface stations, constructed under the authority of the National Capital Transportation Acts of 1960 and 1965, or title III of the Washington Metropolitan Area Transit Regulation Compact, be so designed and constructed as to be accessible to the physically handicapped. Public Law 91—205.

Airport and Airways Development Act: Provided for the expansion and improvement of the Nation's airport and airway systems; repealed the Federal Airport Act; required the Secretary of Transportation to formulate and recommend to Congress within one year a national transportation policy; established a Presidential Aviation Advisory Commission; authorized expenditures of \$75 million for planning grants, at \$15 million each year; \$250 million for air carrier and reliever airport development for each of 5 fiscal years beginning in fiscal year 1971, and \$30 million for non-air-carrier airport development for each of such fiscal years, and beginning in fiscal year 1971, contract authority up to \$840 million for 5 fiscal years, with each obligation of \$280 million restricted to 3 years

and \$250 million for air navigation facilities for each of 5 fiscal years; imposed new or increased user taxes as follows: 7 cents a gallon tax on gasoline and other fuels used in non-commercial aviation; 8 percent on gross amounts of domestic airline passenger fares; 5 percent tax on air freight waybills; \$3 tax per person using international travel facilities; an annual civil aircraft user tax, plus an additional poundage tax in the case of certain aircraft. Revenues from the aviation user taxes are to be placed in a new Airport and Airway Trust Fund similar in nature to the existing Highway Trust Fund. Public Law 91—258.

Amateur radio operators: Amends the Communications Act of 1934 to permit the Federal Communications Commission to issue, consistent with certain security safeguards, licenses for the operation of amateur radio stations by aliens who have filed a declaration of intention to become citizens of the United States. S. 1466. P/S 10/14/70.

Aviation war risk insurance extension: Extended the authority to provide aviation war risk insurance and reinsurance under title XII of the Federal Aviation Act of 1958 for 5 years through September 7, 1975. Public Law 91—399.

Cruise ship regulations: Amended the Merchant Marine Act of 1936, as amended, to eliminate certain provisions of existing law which unnecessarily restrict cruise operations of subsidized American-flag passenger vessels, to enable these vessels to compete more effectively with foreign-flag passenger vessels, and to vest permissive authority in the Secretary of Commerce to make available regularly scheduled vessel passenger service to the public, including service in some areas which now have none. Public Law 91—250.

Emergency Rail Services Act of 1970: Authorized the Interstate Commerce Commission to provide financial assistance to the Penn Central Railroad, the nation's largest transportation system, and three other railroads serving critically important centers in the Northeast; provides that this legislation is an interim measure to avert an immediate crisis; applied only to essential rail services which now face cessation and will reach them only when self-help can no longer find the cash needed to continue. H.R. 19953. Public Law 91—

Federal-Aid Highway Act: Authorized a 2-year extension of the Interstate System through fiscal year 1976, and authorized \$4 billion a year from the highway trust fund for this program; authorized other trust fund expenditures of \$1.896 billion for 1972 and \$1.914 billion for 1973; authorized from the General fund \$413 million for 1972 and \$422.5 million for 1973; authorized \$125 million for each of 1972 and 1973 for a special primary-secondary program; authorized \$100 million annually for 1972 and 1973 for the traffic operations program to increase capacity and safety (TOPICS); provided that each State will receive a minimum of one half of 1 percent of the National Interstate authorization; created an Urban Highway System; provided, regarding the Federal-State road program, for a 70 percent Federal share

of the cost of highway construction starting in 1974; authorized construction of exclusive or preferential bus lanes, highway traffic control devices, and bus passenger loading areas and facilities; established the construction of fringe and corridor parking as a permanent part of the highway program; authorized \$2 million each for the Virgin Islands and Guam and \$500,000 for American Samoa for each of the 3 years beginning with fiscal year 1971 for a highway program; provided for a program of training and research fellowships to upgrade the skills of Federal and State highway department personnel; directed the Secretary of Transportation to report to Congress by January 1972 and make recommendations on the future direction of the Federal highway program in the period 1976 to 1990; established a Highway Beautification Commission; and authorized appropriations from the General fund for a 3-year period for a beautification program. Public Law 91-605.

Federal Low-Emission Vehicle Procurement Act: Designed to stimulate the development, production and distribution of motor vehicle propulsion systems which emit few or no pollutants by requiring the Federal Government to purchase available low-emission vehicles in lieu of other vehicles, thereby creating a guaranteed market which additionally provides controlled conditions for field testing of new concepts in automotive propulsion; authorizes \$50 million annually to carry out the Act. S. 3072. P/S 3/26/70.

Fishing fleet improvement: Extended and broadened the construction assistance program under the United States Fishing Fleet Improvement Act to include reconditioning, conversion, and remodeling; increased the authorization for appropriations from \$10 million annually to \$20 million for fiscal years 1970, 1971, and 1972; provided for a class differential rather than the present individual determination, and eliminated several time-consuming provisions resulting in savings of time and administrative costs. Public Law 91-279.

Flammable Fabrics Act amendments: Authorizes \$9 million for a period beginning July 1, 1970, and ending July 30, 1972, to carry out provisions of the Flammable Fabrics Act, as amended; provides for certification by the Secretary of Commerce of an approved testing program designed to prevent or minimize the manufacture and introduction in commerce of any product, fabric, or related material not in compliance with flammability standards; provides that any failure to certify shall be considered an unfair method of competition and an unfair and deceptive act or practice in commerce under the Federal Trade Commission Act; imposes penalties for violations under the act; and provides that the provisions dealing with certification and related penalties shall become effective 1 year after enactment. S. 3765. P/S 9/23/70.

High-Speed Ground Transportation Act extension: Extended the High-Speed Ground Transportation Act for an additional year, until June 30, 1972, and

authorized \$21,700,000 for fiscal year 1971. Public Law 91-444.

Horse Protection Act: Designed to end the inhumane practice of deliberately making sore the feet of Tennessee walking horses in order to alter their natural gait, by prohibiting the shipment of any horse in commerce, for showing or exhibition, which a person has reason to believe is sore; by making unlawful the exhibiting of a sore horse in any horse show or exhibition in which that horse or any other horse was moved in commerce; and by prohibiting the holding of any horse show in which a sore horse is exhibited if any of the horses in that show were moved in commerce. Public Law 91-540.

International Travel Act amendment: Provided Federal grants to assist States, cities, and regional groupings of States in attracting foreign visitors, and set the Federal share of cost of any relevant program at 50 percent of its cost; established in the Commerce Department a United States Travel Service to be headed by an Assistant Secretary of Commerce for Tourism (to replace the present Travel Service headed by a Director); created a National Tourism Resources Review Commission to study and make recommendations to the President and Congress regarding travel needs and policies and authorized \$750,000 for this purpose; and authorized appropriations of \$15 million for each of fiscal years 1971, 1972 and 1973 to carry out the provisions of the Act. Public Law 91-477.

Maritime authorization, 1971: Authorized \$429,420,000 for the Maritime Administration for fiscal year 1971 (\$199,500,000 for acquisition, construction or reconstruction of vessels, and construction—differential subsidy and cost of national defense features incident to the construction, reconstruction or reconditioning of ships; \$193 million for payment of obligations incurred for shipping operation subsidies; \$19 million for research and development expenses; \$4,675,000 for reserve fleet expenses; \$6.8 million for operation of the Merchant Marine Academy at King's Point, New York; \$2,445,000 for financial assistance to State marine schools; and \$4 million for continued operation of the nuclear ship *Savannah*). Public Law 91-247.

Merchant Marine Act of 1970: Stated the policy of Congress to be that there should be authorized and appropriated sums sufficient to construct 300 ships over the next 10 years; made shipyards as well as shipowners eligible to apply for construction subsidy; permitted negotiated procurement of ships as well as competitive bidding; created a Commission on American Shipbuilding to determine if the construction differential can be reduced from the present rate of 50% to 35% by 1976; extended the operating subsidy to bulk carriers; tied the operating subsidy to a new wage index; gave newly subsidized operators 20 years in which to divest their foreign-flag bulk ships; extended tax deferment privileges to all operators in foreign trade, Great Lakes, noncontiguous trade (Alaska, Hawaii, etc.) and the fisheries; increased the authorization for mortgage insurance from \$1 billion to \$3 billion; gave the

Secretary of Commerce authority to promulgate regulations as to the administration of the cargo preference laws (cargoes restricted to U.S. vessels); established a new Assistant Secretary of Commerce for Maritime Affairs; and cancelled accrued interest of \$22.4 million, as well as future interest obligations, on the debt owed by the St. Lawrence Seaway Corporation to the Treasury. Public Law 91-469.

National Traffic and Motor Vehicle Safety Act amendments: Authorized \$23 million for fiscal year 1970 and \$40 million for each of fiscal years 1971 and 1972; broadened the definition of "motor vehicle equipment" to include related automotive safety devices used exclusively to safeguard motor vehicles and passengers and other highway users from risk of accident, injury or death; provided that the Secretary of Transportation obtain information relating to agricultural tractor safety and report thereon to Congress; and amended the act in several other respects. Public Law 91-265.

Penalties for illegal fishing in fishery zone: Increased the protection of the fisheries resources of the territorial sea, the exclusive fishery zone of the United States, and those fishery resources of the Continental Shelf which appertain to the United States; authorized an increase in the maximum penalty for illegal fishing in such waters from \$10,000 to \$100,000; authorized the utilization of equipment of any Federal department or agency, to assist in carrying out enforcement responsibilities under the act; and contained other provisions. Public Law 91-514.

Political broadcasting: Amended section 315 of the Communications Act of 1934, as amended, to repeal the equal-time broadcasting requirement relative to presidential and vice presidential candidates; limited the charges for use of broadcasting stations by candidates for public office to no more than the station's lowest unit charge for the same amount of time in the same time period; defined "major elective office" to mean President, United States Senator or Representative or Governor or Lieutenant Governor of a State; placed a ceiling of 7 cents per vote cast for all legally qualified candidates for such office in the last preceding general election for such office or a total of \$20,000, whichever is higher, on the amount candidates for major elective office, or others on their behalf, may spend for use of broadcasting stations in a general election; placed a ceiling of one-half the amount determined applicable with respect to the general election for that office on the amount candidates may spend for use on broadcasting stations in a primary election for nomination to a major office, other than President; and established effective dates for the provisions to go into effect. S. 3637. President vetoed 10/12/70. Senate sustained veto 10/23/70.

Urban Mass Transportation Assistance Act: Provided a Federal commitment for \$10 billion in funds over a period of 12 years for urban mass transportation programs; authorized the Secretary of Transportation to incur contractual obligations up to \$3.1 billion for all au-

thorized programs under the amended 1964 act, restricting disbursement by limitations from a maximum of \$80 million prior to July 1, 1971, which is increased by specified limitations for subsequent years reaching a maximum of \$1.86 billion on July 1, 1975, and \$3.1 billion thereafter, with further authorization requests, and recommendations for adjustment in the schedule of liquidating appropriations, to be submitted by the Secretary at 2-year intervals starting not later than February 1, 1972, and running through not later than February 1, 1978; and authorized the Secretary to conduct a study of the feasibility of providing Federal assistance to help defray the operating costs of mass transportation systems and report his findings to Congress within 1 year after the date of enactment. Public Law 91-453.

Water carrier mixing rule: Amended the Interstate Commerce Act to modernize certain restrictions requiring segregation of tows as between regulated and dry bulk exempt commodities and limiting the number of dry bulk commodities which may be moved within a single tow. H.R. 8298. Public Law 91-

VETERANS

Advance educational assistance allowance and work-study program: Amends chapters 31, 34, 35 and 36 of title 38, United States Code to provide for advance payment of the GI bill educational assistance allowance at the start of a school term and prepayment of the allowance of the first of the month thereafter; to establish a student-veteran's work-study program whereby GI bill trainees would receive a \$250 advance work-study allowance for performing various services in Veterans' Administration programs; to provide that servicemen may begin to use GI bill benefits for post-secondary education and training after 180 days of active duty; to permit the GI bill entitlement to be applied to repay prior Federal direct or guaranteed education loans; to accelerate the date on which GI bill allowances are increased for acquisition of dependents; and contains other provisions. S. 3657. P/S 9/25/70.

Benefits for families of servicemen missing, captured, or interned: Amended chapters 35 and 37 of title 38, United States Code, to authorize educational benefits for children and wives of members missing or captured who are so listed for more than 90 days; to authorize home loan benefits (guaranteed or direct) to wives of such members; to terminate the entitlement to both educational and home loan benefits when the member is no longer so listed but still allows completion of the current semester or other period in an educational program; to deduct any educational entitlement used from any subsequent entitlement of the wife or child under chapter 35; to limit the period of eligibility for educational benefits to the standard GI bill 8-year period; to limit the wife's home loan entitlement to one loan; and to provide that the wife's entitlement does not reduce the husband's entitlement to a home loan under chapter 37. Public Law 91-584.

Definition of "child" for veterans'

benefit purposes: Revised the definition of "child" for veterans' benefit purposes to recognize an adopted child as a dependent from the date of issuance of an interlocutory decree. Public Law 91-262.

Disabled veterans' automobile assistance: Amended chapter 39 of title 38, United States Code, by raising the disabled veterans' automobile allowance from \$1,600 to \$2,800, and contained other provisions. H.R. 370. Public Law 91-

Group life insurance: Increased from \$10,000 to \$15,000 the amount of servicemen's group life insurance for members of the uniformed services. Public Law 91-291.

Home loan entitlements and mobile home purchases: Amended chapter 37 of title 38, United States Code to restore all entitlements of World War II and Korean conflict veterans which were unused and had expired; to remove the future expiration dates for the loan guaranty and direct loan program for all eligible war veterans (World War II, Korean conflict, and post-Korean); to establish a guaranteed and direct loan program for mobile homes and lots to place them on; to eliminate the fee (one-half percent of the total loan amount) now collected only from post-Korean veterans on VA direct and guaranteed home loans; to extend regular home loan guaranty and direct loan entitlement to refinancing of existing mortgage loans made on regular houses; and to extend regular home loan guaranty and direct loan entitlement to loans for the purchase of single family residential units in condominiums approved by FHA. Public Law 91-506.

Medical benefits for older veterans: Provided that a veteran who is in receipt of a Veterans' Administration pension would no longer be required to sign under oath a statement of inability to defray the necessary expenses of hospital or domiciliary care in order to gain admission to a VA hospital for a non-service-connected disability. Public Law 91-500.

Recoupment of disability severance pay: Liberalized the conditions under which the Administrator of Veterans' Affairs is required to effect recoupment from disability compensation otherwise payable to certain disabled veterans. Public Law 91-241.

Special health care benefits for certain surviving dependents: Permits the surviving dependents of members of the Armed Forces who die while eligible for receipt of hostile fire pay, or from a disease or injury incurred while eligible for such pay, who are receiving benefits under the special program for the physically handicapped or mentally retarded provided the civilian health and medical program of the uniformed services to continue to receive such benefits until they pass their 21st birthday. S. 4148. P/S 8/14/70. H.R. 9413. P/H 2/16/70.

Specialized medical resources: Provided greater flexibility in the Veterans' Administration hospital and medical care program by providing the Administrator with greater administrative discretion in the appointment of nurses, in the internship and residency program, and in the appointment of dentists of

high academic and research standing on a temporary full-time or part-time basis. Public Law 91-496.

Veterans' Administration regional office in the Philippines: Extended for 4 years, until July 3, 1974, the authority of the Veterans' Administration to operate and maintain a regional office in the Philippines. Public Law 91-338.

Veterans' disability compensation increase: Increased by 8 percent the compensation payments to veterans rated 10, 20 and 30 percent disabled; increased by 11 percent the compensation payments to veterans rated 50 percent to 90 percent disabled; increased by 12 percent the compensation payments for the totally disabled; increased the allowances to dependents of disabled veterans whose disability is rated at 50 percent or higher; made the compensation increases effective July 1970; and contained other provisions. Public Law 91-376.

Veterans Education and Training Amendments Act: Increased by 34.6 percent the basic "GI bill" monthly educational assistance allowance rates for veterans, and the allowances for farm training and apprenticeship programs; increased by 22.7 percent the vocational rehabilitation training subsistence allowance; provided a special supplementary assistance allowance for educationally disadvantaged veterans; established a predischARGE educational program to assist servicemen in preparing for future education while still on active duty; and expanded the veterans' outreach service program covering the Veterans' Administration counseling services to advise veterans of their entitlements and assist them in gaining employment. Public Law 91-219.

Veterans' pension increase: Increased the rates, income limitations, and aid and attendance allowances relating to payment of pension and parents' dependency and indemnity compensation; excluded certain payments in determining annual income with respect to such pension and compensation; made the Mexican border period a period of war for the purposes of eligibility; and for other purposes. Public Law 91-588.

CONTINUING APPROPRIATIONS, 1971

Mr. ELLENDER. Mr. President, I move that the Senate proceed immediately to the consideration of calendar No. 1557, House Joint Resolution 1421, making further continuing appropriations for the fiscal year 1971, and for other purposes.

The PRESIDING OFFICER (Mr. STEVENS). The joint resolution will be stated by title.

The assistant legislative clerk read as follows:

Calendar No. 1557 (H.J. Res. 1421), a joint resolution making further continuing appropriations for the fiscal year 1971, and for other purposes.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Louisiana.

The motion was agreed to and the Senate proceeded to consider the joint resolution.

Mr. ELLENDER. Mr. President, as Senators are aware, the purpose of continuing resolutions is to enable the departments and agencies of the Federal Government to function in the absence of new obligational authority for the current fiscal year 1971.

The original continuing resolution for this fiscal year (Public Law 91-294) provided for the financing of such activities during the month of July 1970. Subsequently, on August 1, 1970, Public Law 91-370 was enacted, extending the financing until October 15, 1970. On October 15, 1970, Public Law 91-454 was signed by the President, which amended the previous resolution by striking out "October 15, 1970," and inserting in lieu thereof "the sine die adjournment of the second session of the Ninety-first Congress."

The resolution which is before us and which has passed the House of Representatives, amends the original resolution by striking out "the sine die adjournment" date and inserts in lieu thereof the date of March 30, 1971. In the pending resolution, a new provision has been added, which has the effect of providing financing for those agencies and programs funded in the Department of Transportation Appropriation Act (H.R. 17755, 91st Congress) at the level provided for in such act as passed by the House of Representatives in the conference report on December 15, 1970.

In quick summary, then, this enactment will permit the Department of Transportation to operate through March 30, 1971, at the rate of operations, and to the extent and in the manner, provided for in the conference report on H.R. 17755, adopted by the House on December 15, 1970.

The Senate is aware of the necessity for this resolution, and I will not belabor the point. Under the circumstances in which we find ourselves, with the mandatory adjournment date of this session of Congress facing us, I strongly urge the adoption of this resolution.

Mr. BIBLE. Mr. President, I shall speak briefly on the joint resolution which is now the pending business before the Senate of the United States.

We know what this is all about. The resolution, as described by the distinguished acting chairman of the full Appropriations Committee, has been correctly stated.

I think I should first lay the monetary figures out before the Senate so that we are clear what we are talking about.

Mr. NELSON. Mr. President, may we have order? I cannot hear the Senator.

The ACTING PRESIDENT pro tempore. The Senator is correct. The Senate is not in order. The Senate will please be in order.

The Senator from Nevada may proceed.

Mr. BIBLE. Mr. President, the items in the joint resolution to which the Senator from Louisiana just referred, insofar as the one which is the difficult item in the transportation appropriations bill, the SST, was for \$210 million.

To date, approximately \$105 million of this has been spent. This resolution means that the remaining \$105 million

will be spent at the rate of approximately \$17 million during January, approximately the same amount during February, and approximately the same amount during March for a total of \$51.7 million.

The exact figures for the RECORD, as secured by the staff from the Department of Transportation, show that in January, it would be funded at a level of \$17.3 million; in February, \$16.8 million; and in March, \$17.6 million, for a total of \$51.7 million, which is very close to one-half of the \$105 million in the 3 months just ahead of us, January, February, and March.

This continuing resolution does expire on March 30, and at that time it will be necessary to consider a further determination for the other departmental items over and above the SST item.

At that time, this would come back, first to the House, of course, and then to the Senate of the United States. Depending upon the action taken by the House of Representatives—and certainly I do not know what action it will take—Mr. President, may we have order?

The ACTING PRESIDENT pro tempore. May we have order in the Senate? Will the Senate please be in order?

The Senator may proceed.

Mr. BIBLE. Mr. President, I cannot forecast the action of the House at that time. I do not intend to try to forecast the action of the House, nor for that matter, that of the Senate.

It would come before the House at some time, I would hope, early in March. I would hope that without any great amount of discussion we can have a vote, first on the House of Representatives side straight up on the one item of the SST, and then on the Senate side—first in the Appropriations Committee, to which it would normally be referred—and then on the floor for a vote straight up on the item of the SST.

This is really what this is all about, so that there would be, I think, two votes at that time in the Congress of the United States, one on the House side and one on the Senate side.

There is no use in anyone having any false hopes about this problem. What we are doing today does not completely resolve the problem. It simply puts it off until March. In March we will have the same general problem again, and the arguments have been made both pro and con. I certainly have no intention of engaging in those arguments this morning and spending a lot of time on them.

This has been a cost complex problem. It seemed almost insoluble.

I think that in the repeated meetings which we have had with our Senate conferees, along with the additional Members of the Senate that were added—the Senator from Wisconsin and the Senator from New Hampshire—we have worked out of this the best we could under the circumstances.

To get an up and down vote on the conference report sent to us by the House of Representatives, it became clear that it would be necessary to secure a cloture motion. We know the results. On two different occasions. The cloture failed.

This left us again just about where we

started out. I think that every one of us is very well aware that there are items in the Department of Transportation's Appropriation bill which under no circumstances could be permitted to die at noon tomorrow.

There are many items involved, all of which are important, and all of which I think should go forward. Typical are the Coast Guard items, the pay items for those who man the control towers, the money for additional air guards that we have authorized recently, the lack of funds for all of which would wreak havoc if we were to have stopped this part of the Government tomorrow, January 3, at noon.

We knew of no particular way out of this dilemma. It would take the House some time to organize if we came back tomorrow at 12:01 p.m.; and it would take the Senate possibly even a little longer to organize because we are going into a new Congress. So that was the dilemma.

Out of this we have attempted to work our way as best we could, but it has not been easy. I am the negotiator, I guess, in my acting capacity on the Department of Transportation Appropriation bill, so what we do today is admittedly temporary in nature and will come up again in March. Depending on what is done, I suppose we could have this as a recurring exercise because it would probably come back again if the proponents of the SST should not prevail in March. I think there would be another appropriation coming up to carry it until 1972.

I know we will have the same exercises on the House side and on the Senate side. I do not want to delude anyone into thinking that our action today will solve the problem. We have postponed it temporarily. I certainly urge that after we are organized, at least early in March, we get right to grips with the problem so that we avoid the last minute deadline because all of the transportation items are important. I personally think the SST is important, although others think differently. The question is exactly where do we start. There are those who want to kill the SST completely and there are those who want to keep it alive. It is hard to find a middle ground between those two concepts.

We have here a bill which does not completely solve the problem but which does get us out of our impasse until March.

Several Senators addressed the Chair. Mr. BIBLE. I yield to the Senator from Alaska.

Mr. STEVENS. Mr. President, I want to be sure I understand what we have done. The House approved the conference report on December 15—

Mr. STENNIS. Mr. President, may we have order? Senators cannot hear.

The ACTING PRESIDENT pro tempore. The Senate will be in order.

Mr. BIBLE. Mr. President, will the Senator please restate his question?

Mr. STEVENS. The resolution before us, on page 2, refers to the act as modified by the House December 15, 1970.

Mr. BIBLE. Yes.

Mr. STEVENS. As I understand it, that is the date they approved the conference

report, and the conference report did contain some of the increases made by the Senate committee. Am I correct in my understanding that the action the Senator refers to is approval by the House of the conference report, and I take it they modified the bill that day by that action.

Mr. BIBLE. I think the correct answer is that it was the conference report plus their modifications which they made on December 15, 1970. To illustrate, there were some items which we considered which they did not consider, such as the water pollution fund item, the Air Guard item, and others. That has reference only to the add-ons by the Senate, which the House had not considered because they did not have authorizing legislation or a budget request and we put it in in some instances subject to the enactment of authorizing legislation. Those are the items it refers to.

Mr. STEVENS. Does it include some increases recommended by the Senate committee and later approved in the conference report?

Mr. BIBLE. Yes, it includes all of them. The ACTING PRESIDENT pro tempore. The Senator from Wisconsin is recognized.

Mr. SPARKMAN. Mr. President, will the Senator yield to me briefly so that I may file a report?

Mr. PROXMIRE. Mr. President, I send an amendment to the desk, which I will explain.

The ACTING PRESIDENT pro tempore. The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered; and, without objection, the amendment will be printed in the RECORD.

The amendment, ordered to be printed in the RECORD, is as follows:

H.J. RES. 1421

On page 1, line 7, strike Mar. 30, and insert Feb. 15.

On page 2, line 2, insert the following:

"Provided further, That funding for the Civil Supersonic Aircraft Development program be continued at the rate of operations for fiscal year 1970, i.e., \$184,000,000 per annum."

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may yield to the Senator from Alabama without losing my right to the floor or having my subsequent remarks counted as a second speech.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Alabama is recognized.

ACHIEVEMENTS OF THE COMMITTEE ON BANKING AND CURRENCY DURING THE SECOND SESSION OF THE 91ST CONGRESS

Mr. SPARKMAN. Mr. President, Mr. Dudley L. O'Neal, Jr., Staff Director of the Committee on Banking and Currency, has prepared a report on the achievements of the Committee on

Banking and Currency during the second session of the 91st Congress.

I ask unanimous consent that the report may be printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

ACHIEVEMENTS OF THE BANKING AND CURRENCY COMMITTEE DURING THE SECOND SESSION OF THE 91ST CONGRESS

During the second session of the 91st Congress the Senate acted favorably on 32 bills and resolutions which were handled by the Committee. One-third of these may be considered major legislation. Of the 32 measures dealt with by our Committee 29 have become Public Law.

I am listing below information concerning each of the bills handled by the Committee in this session.

S. 336 (Mr. Sparkman); passed Senate August 13, 1970; P.L. 91-565; amends section 3(b) of the Securities Act of 1933 to permit the exemption of security issues, not exceeding \$500,000 in aggregate amount, from the provisions of such act. (S. Rept. 91-1082, August 10, 1970; passed House December 7, 1970; approved December 19, 1970.)

S. 721 (Mr. Proxmire); passed Senate April 15, 1970; would safeguard the consumer by requiring greater standards of care in the issuance of unsolicited credit cards and by limiting the liability of consumers for the unauthorized use of credit cards, and for other purposes. Included as Title V of Public Law 91-508. (S. Rept. 91-739, March 13, 1970.)

S. 823 (Mr. Proxmire); passed Senate November 6, 1969; would enable consumers to protect themselves against arbitrary, erroneous, and malicious credit information. Included as Title VI of Public Law 91-508. (S. Rept. 91-517, November 5, 1969.)

S. 2224 (Mr. Sparkman); passed Senate May 26, 1969; P.L. 91-547; would amend the Investment Company Act of 1940 and the Investment Advisers Act of 1940 to define the equitable standards governing relationships between investment companies and their investment advisers and principal underwriters, and for other purposes. (S. Rept. 91-184, May 21, 1969; passed House September 23, 1970, approved December 14, 1970.)

S. 3154 (Mr. Williams of New Jersey); passed Senate February 3, 1970; P.L. 91-453; would provide long-term financing for expanded urban public transportation programs, and for other purposes. (S. Rept. 91-633, December 22, 1969; passed House September 29, 1970; approved October 15, 1970.)

S. 3207 (Mr. Sparkman); passed Senate January 30, 1970; relating to the liabilities of Federal National Mortgage Association to the United States. (S. Rept. 91-644, January 29, 1970; included in H.R. 19436, the Housing Act of 1970, approved December 31, 1970.)

S. 3302 (Mr. Proxmire); passed Senate July 9, 1970; P.L. 91-379; would amend the Defense Production Act of 1950, and for other purposes. (S. Rept. 91-890, May 21, 1970; passed House July 31, 1970; approved August 15, 1970.)

S. 3330 (Mr. Metcalf); passed Senate August 28, 1970; would authorize rural housing loans to lessees of nonfarm rural land, and for other purposes. (S. Rept. 91-1129, August 20, 1970; included in H.R. 19436, the Housing Act of 1970; approved December 31, 1970.)

¹ H.R. 6778, One-Bank Holding Company; S. 721, Unsolicited Credit Cards; S. 823, Fair Credit Reporting; H.R. 15073, Foreign Bank Secrecy; S. 2224, Mutual Fund Reform; S. 3685, Emergency Home Financing Act of 1970; S. 3822, Share Insurance for Credit Unions; H.R. 19436, Housing and Urban Development Act of 1970; and H.R. 19333, Federal Broker-Dealer Insurance.

gust 20, 1970; included in H.R. 19436, the Housing Act of 1970; approved December 31, 1970.)

S. 3366 (Mr. Fong); passed Senate July 1, 1970; would make banks in American Samoa eligible for Federal deposit insurance under the Federal Deposit Insurance Act, and for other purposes. (S. Rept. 91-996, June 30, 1970; included in H.R. 19436, the Housing Act of 1970; approved December 31, 1970.)

S. 3431 (Mr. Williams of New Jersey); passed Senate August 13, 1970; P.L. 91-567; would extend the coverage of sections 13(d), 14(d), and 14(e) of the Securities Exchange Act of 1934 in order to provide additional protection for investors. (S. Rept. 91-1125, August 14, 1970; passed House December 7, 1970; approved December 22, 1970.)

S. 3435 (Mr. Talmadge); passed Senate April 27, 1970; provided for the striking of medals in commemoration of the completion of the carvings on Stone Mountain, Georgia, depicting heroes of the Confederacy. (S. Rept. 91-768, April 23, 1970; passed House May 4, 1970; approved May 14, 1970.)

S. 3685 (Mr. Sparkman); passed Senate April 16, 1970; would increase the availability of mortgage credit for the financing of urgently needed housing, and for other purposes. (S. Rept. 91-761, April 7, 1970; passed House June 25, 1970; approved July 24, 1970.)

S. 3775 (Mr. Sparkman); passed Senate August 28, 1970; would amend section 1811 of title 38, United States Code, to authorize the Veterans' Administration to make direct loans to any veteran who is determined to be eligible for assistance in acquiring specially adapted housing under chapter 21 of title 38, United States Code. (S. Rept. 91-1130, August 20, 1970; included and approved in Veterans Housing Act of 1970.)

S. 3822 (Mr. Bennett); passed Senate September 2, 1970; P.L. 91-468; provides insurance for member accounts in State and federally chartered credit unions, and for other purposes. (S. Rept. 91-1128, August 19, 1970; passed House October 5, 1970; approved October 19, 1970.)

S. 3825 (Mr. Sparkman); passed Senate June 17, 1970; would authorize further adjustments in the amount of silver certificates outstanding, and for other purposes. (S. Rept. 91-929, June 12, 1970.)

S. 3889 (Mr. Sparkman); passed Senate June 11, 1970; P.L. 91-360; would amend section 14(b) of the Federal Reserve Act, as amended, to extend for 2 years the authority of Federal Reserve banks to purchase U.S. obligations directly from the Treasury. (S. Rept. 91-918, June 9, 1970; passed House July 20, 1970; approved July 31, 1970.)

S. 4316 (Mr. McIntyre); passed Senate September 18, 1970; would clarify and extend the authority of the Small Business Administration, and for other purposes. (S. Rept. 91-1158, September 1, 1970.)

S. 4536 (Mr. McIntyre); passed Senate November 25, 1970; P.L. 91-558 would amend the Small Business Act. (S. Rept. 91-1366, November 23, 1970; passed House December 7, 1970; approved December 17, 1970.)

S. 4268 (Mr. Sparkman); passed Senate December 18, 1970; would amend the Export-Import Bank Act of 1945, as amended to allow for greater expansion of the export trade of the United States, to exclude bank receipts and disbursements from the budget of the U.S. Government, and for other purposes. (S. Rept. 91-1462, December 16, 1970.)

H.R. 2 (Mr. Patman); passed Senate February 4, 1970; P.L. 91-206; amends the Federal Credit Union Act so as to provide for an independent Federal agency for the supervision of federally chartered credit unions, and for other purposes. (S. Rept. 91-518, November 5, 1969; passed House July 28, 1969; approved March 10, 1970.)

H.R. 6778 (Mr. Patman); passed Senate September 16, 1970; P.L. 91- amends the Bank Holding Company Act of 1956, and for

other purposes. (S. Rept. 91-1084, August 10, 1970; passed House November 5, 1969; conference report agreed to by House December 16, 1970, and by Senate December 18, 1970; December 31, 1970.)

H.R. 13959 (Mr. Gonzalez); passed Senate April 27, 1970; P.L. 91-244; provides for the striking of medals in commemoration of the many contributions to the founding and early development of the State of Texas and the city of San Antonio by Jose Antonio Navarro. (S. Rept. 91-769, April 23, 1970; passed House December 15, 1969; approved May 9, 1970.)

H.R. 15073 (Mr. Patman); passed Senate September 18, 1970; P.L. 91-508; amends the Federal Deposit Insurance Act to require insured banks to maintain certain records, to require that certain transactions in U.S. currency be reported to the Department of the Treasury, and for other purposes. (S. Rept. 91-1139 on S. 3678, August 24, 1970, passed House May 25, 1970; approved October 26, 1970.)

H.R. 15118 (Mr. McCulloch); passed Senate August 3, 1970; P.L. 91-381; provides for the striking of medals in commemoration of the 100th anniversary of the founding of Ohio Northern University. (S. Rept. 91-1042, August 3, 1970; passed House July 6, 1970; approved August 17, 1970.)

H.R. 17795 (Mr. Patman); passed Senate September 21, 1970; Public Law 91-431; amends title VII of the Housing and Urban Development Act of 1965. (S. Rept. 91-1189 on S. 3938; passed House September 10, 1970; became law without signature October 6, 1970.)

H.R. 19333 (Mr. Moss); passed Senate December 10, 1970; P.L. 91-598; would provide greater protection for customers of registered brokers and dealers and members of national securities exchanges. (S. Rept. 91-1218 on S. 2348, September 21, 1970; approved December 30, 1970.)

H.R. 19436 (Mr. Patman); passed Senate December 8, 1970; (Public Law 91-) provides for the establishment of a national urban growth, policy, to encourage and support the proper growth and development of our States, metropolitan areas, cities, counties, and towns with emphasis upon new community and inner city development, to extend and amend laws relating to housing and urban development, and for other purposes. (S. Rept. 91-1216 on S. 4368; passed House December 3, 1970; Senate agreed to conference report December 18, 1970, and House agreed December 19, 1970; approved December 31, 1970.)

S.J. Res. 158 (Mr. Bennett, Mr. Sparkman, and Mr. Nelson); passed Senate October 15, 1969; Eisenhower Dollar. (S. Rept. 91-451, October 8, 1969; passed House amended October 15, 1969.) Provisions included as Title II of H.R. 6778.

S.J. Res. 196 (Mr. Sparkman); passed Senate May 15, 1970; would increase the authorization for college housing debt service grants for fiscal year 1971. (S. Rept. 91-863, May 12, 1970; included in Emergency Home Financing Act of 1970; approved July 24, 1970.)

S.J. Res. 201 (Mr. Sparkman); passed Senate June 25, 1970; P.L. 91-344; extends the reporting date of the National Commission on Consumer Finance. (S. Rept. 91-939, June 23, 1970; passed House July 6, 1970; approved July 20, 1970.)

S.J. Res. 242 (Mr. Proxmire); passed Senate October 13, 1970; P.L. 91-473; provides for the temporary extension of the Federal Housing Administration's insurance authority. (S. Rept. 91-1334, October 13, 1970; passed House October 13, 1970; approved October 21, 1970.)

H.J. Res. 1366 (Mr. Patman); passed Senate September 25, 1970; P.L. 91-432; provides for the temporary extension of the Federal Housing Administration's insurance author-

ity. (S. Rept. 91-1206, September 18, 1970; passed House September 16, 1970; approved October 2, 1970.)

Eight nominations were acted on by the Committee and approved by the Senate.

CONTINUING APPROPRIATIONS, 1971

The Senate continued with the consideration of the joint resolution (H.J. Res. 1421) making further continuing appropriations for the fiscal year 1971, and for other purposes.

Mr. PROXMIRE. I introduced an amendment which I sent to the desk to ask unanimous consent that it not be read. Mr. President, it is now 11:27 a.m., Saturday, January 2, 1971. Under the resolution which I understand we adopted earlier we would adjourn at midnight tonight. That could be changed. At any rate, 24-plus hours from now Congress adjourns sine die, and every bill and every resolution that has not passed the House and the Senate dies. That includes the resolution now pending.

This resolution containing an appropriation for the Department of Transportation, including the SST, until March 30, is not going to become law today or tonight or tomorrow until we receive certain clear assurances on the record. There is no way that the appropriation resolution can pass without the consent of any Senator who is willing to keep the Senate in session until noon tomorrow, and any Senator is able to do so. I am prepared to do that to kill this appropriation until full assurances are received on the record before the resolution will pass.

On Thursday last, December 31, 1970, in the office of the majority leader, I agreed not to kill this resolution by delaying it if these assurances were given on the record. I intend to make sure those assurances are provided fully on the record, or no bill.

It is necessary for me to explain in detail why these assurances are so vital and why, unless we get these assurances on the record there will be no SST funding and also no Department of Transportation appropriation bill, with all of the grief which I understand so well could come about. It means the air traffic controllers would not be paid; it means the Coast Guard would not be paid; it means transportation would suffer a cataclysmic crisis, and all of us want to avoid that.

The course of the 1971 \$290 million proposed appropriation for the SST has been characterized by calculated use of delay, endless month after month delay, explicit violations of certain Senate rules and finally, persistent refusal to allow an up and down vote on the SST in the House at any stage, and even in the Senate at crucial stages, as I intend to show.

On May 27 the Department of Transportation appropriation bill came to the Senate. It came to the Senate in an atmosphere in which the distinguished Senator from Montana (Mr. MANSFIELD) and the Committee on Appropriations pleaded with the Senate to act on legislation and especially appropriation bills

as promptly as possible and to get those bills reported early. I am chairman of the District of Columbia Appropriation Subcommittee.

We were able to report that bill 1 week after it came from the House, and it passed in June. Other appropriation matters were passed in a matter of weeks. One took, as I recall, as long as a month and a half after it came from the House. But no appropriation bill was held up anything like the Department of Transportation bill was.

It could have been reported to the Senate early in June, in response to the request of the Senator from Georgia (Mr. RUSSELL) and the majority leader (Mr. MANSFIELD) plea—certainly by July. It was not reported in August, it was not reported in September, it was not reported in October. It was not until November 25, a full 6 months after the bill came from the House, that the Senate Appropriations Committee finally reported it to the floor. It took much longer, months longer, than any other appropriation bill after it was received from the House.

Why should the Department of Transportation bill be exempt from pleas by the majority leader and the chairman of the Appropriations Committee? Why the delay? Powerful subcommittee members were holding it until the last possible chance to get it through Congress, under the most favorable circumstances. It permitted, in the first place, time for months of intensive lobbying by the Department of Transportation and by the new, high pressure SST operation in the Department of Transportation, under a Mr. Magruder, who is an extraordinarily able man, and who had 118 people working for him in the Department of Transportation that could be characterized, at least in part, as a powerful public relations outfit whose commitment was to sell the SST; to sell it to the press, to the public and to the Congress.

Of course, it took time for that to be done. In the first place, the SST forces had to see to it that they turned the administration around, many agencies of which, in 1969, after President Nixon ordered a review of the SST, had come out overwhelmingly and almost unanimously against the SST. That adverse recommendation on the SST came from the Council of Economic Advisers, the Treasury Department, the Labor Department, the office of Science and Technology, the Interior Department, the Health, Education, and Welfare Department. Virtually every group on that panel was against the SST. Of course, it took time—months—to turn this group around, and that was the intention of the Magruder commitment.

Then it was necessary to get action out of the AFL-CIO, with their great power in the country and, of course, their influence on the Congress; and that took some time. The DOT bill was delayed while pressure was put on the AFL-CIO, and they in turn responded, because jobs were involved. They went to work and did their best to grease the skids for the SST.

Then also this group had to have time—months—in order to counteract

the adverse environmental findings which had been developed by responsible scientists and conservationists and others.

One of the things they did was to set up the Magruder environmental panel. The so-called Environmental Council or panel was appointed to attempt to counteract the tremendous amount of information from the scientific community which was adverse to the SST and which documented the fact that pollution was a very definite and dangerous threat if the SST were to be permitted to go ahead.

This environmental panel was dominated by two departments, the Commerce Department and the Transportation Department. In the 1969 ad hoc group that had been appointed by President Nixon last year, virtually all of the many agencies were reported as being against the SST, with one conspicuous exception in addition to the Department of Transportation, and that was the Department of Commerce. The Department of Commerce was not given just one position on this newly appointed Magruder panel, but at least three. In addition, the Department of Defense—that is, the Navy—was represented. Space—NASA—was represented. McDonnell-Douglas Aircraft Corp. was represented. American Airlines was represented. All of this was on the environmental panel, but there was no representation of the Department of Health, Education, and Welfare, which, of course, has great expertise and responsibility in adjudging the effect of pollution on human health. There was no representation from Interior, the No. 1 environment agency or the Office of Science and Technology, the agencies that are principally competent and responsible in the area of the environment. They were excluded completely from the environmental panel.

Furthermore, Mr. President, private organizations were on it, but there was no representative of the Sierra Club and no representative of any other group which, incidentally, would not have any financial ax to grind, as McDonald-Douglas and American Airlines who were on the panel would have.

That was done for the purpose of allaying the fears that the SST might become an environmental hazard. We were assured, after all, that the panel would sift the information that came through it, to determine whether or not the SST was in fact hazardous to the environment; and the Department of Commerce, the Department of Transportation, American Airlines, McDonald-Douglas would be the judges of that.

In addition to that, it was necessary to delay the bill in order to pressure the airport controllers council, which had indicated definite hostility to the legislation and recognized tremendous additional sideline noise the SST represented.

It took time to work on them.

Now, Mr. President, the meaning of such delay is that prompt action is required on appropriation legislation by the Senate leadership and by the Appropriations Committee leadership, except for those who have the real power on the subcommittee and want to hold it up. Then it is something else. The delay in

this case was not a week or 2 weeks longer, but months.

But, Mr. President, the most conspicuous delay on the SST was in October. Congress, Senators will recall, was pressing hard to finish up its business before we adjourned. All hearings had been completed on the SST months before. The majority leader had been pleading for legislation to be reported to the floor and especially appropriation bills.

Why was the Department of Transportation appropriation bill held up at that time? It was held up, very simply, not because additional information was required, not because additional witnesses were needed, but because the Senators controlling the DOT appropriation subcommittee knew that the SST was unpopular in the country. Of my certain knowledge, some Senators said—in fact, they told me directly and personally—that they could not vote for the SST before the election, because that vote could cost them votes, and if they were in a close election, it could conceivably cost them the election itself.

Think about that for a minute. It means that the SST could not come to a vote, like everything else in the Senate, because the people could be so concerned about the SST and so adverse to it that the results could be painfully adverse to those Senators who would vote for it. They could not get away with it politically.

So the SST was held up until after the election. It was sheltered from the impact of voters in the election, as it has consistently been sheltered from votes on the floor of the House of Representatives, as I shall document a little later. It was made an exception to the majority leader's plea to the Appropriations Committees to report legislation when ready, in order to give the SST every advantage.

Finally, the Department of Transportation bill came to the Senate floor. Those of us who wanted to knock the SST out were up against this combination: the full commitment, at that point, on the part of the President and his Cabinet, beefed up by the Department of Transportation's special Magruder team. Second, aviation industry pressure, reinforced by the FAA, with its peculiar power over the airlines. Third, a highly effective personalized SST drive by the two Senators from Washington themselves.

The Senators from Washington are both highly popular in this body, both committee chairmen, both in positions of great power and authority, one of them the chairman of the Commerce Committee and also chairman of the Labor-HEW Appropriations Subcommittee, the other chairman of the Committee on Interior and Insular Affairs and one of the ranking members on the Senate Armed Services Committee.

There are few other Senators—I doubt if more than five or six—who have anything like the clout, the power, the authority, and the influence in this body of Senators MAGNUSON and JACKSON. In addition, Senator MAGNUSON, of course, is a leading member of the Transportation Subcommittee, and as a senior member of the subcommittee, a conferee when the matter goes to conference.

In spite of all this, the Senate knocked the SST out of the bill, and the vote was not close. It was a clearcut 52 to 41.

At this point, the House opponents of the SST tried to get a vote against the SST by a motion to instruct their conferees in advance of their going to conference. They did get a vote on that, and were defeated. But just think what a tough motion they were required to make: they were forced to try to persuade their colleagues in the House of Representatives not to vote up or down on the SST, but to bind their colleagues so that they would have no discretion in conference, but would have to vote a certain way.

This is highly contrary to the way we usually operate in both bodies. That is a very difficult vote for House Members to make. But that was the only kind of vote the House Members have had the opportunity to make on the SST. No up and down vote on the SST in the House.

Then what happened? Well, the DOT bill went to conference. And who were appointed as conferees? Of the seven Senate conferees, four were in favor of the SST, although the Senate had voted against the SST, and only three of the conferees were against it.

The rules of the Senate are very clear on this. On page 212 of "Senate Procedure," by Charles L. Watkins and Floyd M. Riddick, there is a section entitled "Conferees Represent Senate and Not Committee Only."

The rule, as explained in that section, is as follows:

The conferees in theory are appointed by the Presiding Officer, but in fact are designated by friends of the measure, who are in sympathy with the prevailing view of the Senate.

Cleves' Manual says the same thing, on page 284.

But in this case a majority of the managers for the Senate represented the minority viewpoint. No one has argued that there was any legitimacy for appointing conferees of the minority view, except those who say there may have been other matters in dispute. But, Mr. President, this was the only matter in substantial dispute within the Senate itself. In fact, after we voted on the SST, it was only 5 or 10 minutes until the whole bill was passed. There were no other rollcall votes, there was no other hard effort to knock decisions by the committee out of the bill. This was the only matter in important dispute in the Senate itself; yet the conferees represented a minority, and not the prevailing view but the failing view in the Senate.

It may be said that, after all, those Senators who went to conference, even though it was against their view, fought hard for the Senate position. Well, let us take a look and consider how long these fights usually take. Conferences involving controversy usually take weeks, often months. Now it is true that this was close to the end of the session, but at least one might expect the conferees to fight for a week, 5 or 6 days; 2 or 3 days, anyway.

But they came back in less than a day. And they came back with an agreement to fund 70 percent of what the adminis-

tration had asked for. I know they say that \$105 million had already been spent; but on that basis the argument could have been made to stop right there. They had spent nearly half the money. But they went on and provided another \$105 million. This, in my view, was going 75 percent of the way on the money issue, but there was no protection whatever from the conference on the big issue which we raised in the Senate, the environmental problem. We pointed out that the SST environmental council which was given millions in this bill was loaded, that the noise is insufferable—in fact, Senator MAGNUSON himself secured passage of his bill which would have prevented the commercial SST from flying over the continental United States because the sonic boom could cause such difficulties, and also prevented the contracts from being honored, until they got the sideline noise decibels down below 108. That bill had passed the Senate unanimously, now that bill has had no hearings in the House. It is dying there, and will be dead in 24 hours.

But there was no mention of that by the conferees, no recognition of it. But especially, Mr. President—and this is most important of all—the conferees refused to take advantage of the clear provision in the law to provide that when you have an impasse between the House and the Senate, you can go back to the House or back to the Senate in disagreement. This, in our view, is what should have been done. Under those circumstances, there would have been an opportunity to vote in the Senate, and if we had taken the position that the conferees should sustain our position, should stop funding the SST, then they would vote in the House of Representatives up and down on the SST. In my opinion, under those circumstances, there was an excellent chance that the House would have concurred in the adamant position of the Senate, and knocked out the SST. But it was never done. The Senate conferees claimed that the House conferees were adamant, that it was not possible to get them to yield, there was nothing they could do to sustain the Senate; so there was something they could do. They could report the SST to the floor of each House as an amendment in disagreement but they did not do that. They did it on the foreign aid appropriation bill a few days ago, but they did not do it on the Transportation appropriation bill. They have done it again and again in the Senate; it is not rare, but they did not do it here.

The result of all this is that the conferees had succeeded in keeping the SST alive in spite of the decisive vote in the Senate to kill the bill, and they kept it alive, of course, by keeping it wrapped tightly in the conference report, with the full DOT appropriations. So there was no way we could get at the SST as long as it stayed in the conference report and as long as the conferees refused to permit a vote on the SST as an amendment in disagreement.

When the Department of Transportation bill did go back to the House, with SST funds knocked out, the only motion available at that time was to recommit

the conference report and instruct the conferees.

I have talked with a number of House Members; they say this is a very rare and unusual action. It is a direct affront to the House leadership and to the House committee leadership. It is a disadvantageous motion to reject the conference report with instructions. The vote on that, in spite of that disadvantage, was 205, not to affront the House leadership or in effect, for the SST and 185 against it. Again, in my view, this is a remarkable vote. If there had been an up and down vote on the SST, I think there was an excellent chance that they would have voted to recede, and the SST would have been taken out and it would have been killed.

There was another vote. There was a vote on the conference report itself; the whole appropriation including the SST could be killed, but voting on the conference report, because of the very vital programs to the country funded by the bill far more important than the SST, the conference report was agreed to.

But this insistence by the SST proponents that it be wrapped snugly and safely in the Department of Transportation bill is why we fought hard day after day on the floor, at the end of December, and used our right to delay the conference report as a bargaining weapon to try to get the Senate to go back to conference and split off the SST from the DOT in the coming year.

Our method was to provide that the Department of Transportation appropriations would go through the year to June 30 but the SST would be funded only until March 30. We wanted an earlier date. We preferred it to be in February or perhaps the first of March. This would mean that the SST would come up by itself in 1971, and it would take the same risk, under those circumstances, as all other legislation. That means that if it were killed by either House, it would be dead. That is not harsh action. That is what we do with every kind of bill, especially something as controversial as this and on which there is this kind of division. We would not have to kill it in both Houses. Either one would do.

If we voted it down in the Senate or in the House, the bill would die, and that is what happens with all bills. That would have been the result of the Mansfield resolution to fund the SST alone until March 30, 1971, the rest of the bill until June 31, 1971. That was proposed but was not pressed and was finally withdrawn.

The Senate agreed to table the conference report to see if the Mansfield proposal or something like it could be worked out in the new conference. Then ensued a remarkable and little noted ploy to prevent the House from voting on the SST, and this is how: After the Senate tabled the conference report, it appointed two additional conferees. Let me take a minute to point out that the two additional conferees at that point were clearly to go to conference on the SST and nothing else. One conferee, myself, was against the SST; the other conferee, Senator CORTON, was for the SST. Once again, the conferees were loaded for the

SST, and certainly at that point it was very clear that the only purpose of the conference was to discuss the SST. Everything else had been settled. That was in direct violation of the rules and Cleaves' Manual.

The main argument I want to make is that the House was really prevented from voting at this point on the SST in a very clever way. The House at this point could either let DOT appropriations die, and that was impossible—that was not really an alternative—or it could move for a new conference and reappoint conferees. They did not do either one.

Why not appoint new conferees? Why not move for a new conference? Because then a simple motion to recede to the Senate on the SST, killing the SST, was in order. It might have won; and the managers of the DOT in the House did not want to take that risk.

As a matter of fact, I have talked with some of them, and they told me that, in their view and under the circumstances at that point, the SST would have been defeated in the House if it had been allowed to come to a vote. They did not risk it. They did not permit a new panel of House conferees to be appointed. A new conference was obviously the whole point of the Senate appointing a new conference.

In fact, there was never a conference after this point, although we did get together for informal discussions. We went through the formality in the Senate of appointing new conferees, including this Senator, and no conference took place. Why? Why no conference?

The answer:

To avoid an up and down vote on the SST in the House, instead of a new conference the House followed a different route to protect themselves from a direct SST floor vote. This was to introduce the resolution that is before us now. To have a discussion with the new Senate conferees they followed a completely extra-legal procedure. The House appointed no new conferees. After Senator CORTON and I were appointed, there was no legal conference, because the leadership over there did not want to risk a vote on the SST. An informal meeting was held with the House conferees—incidentally, minus Representative YATES. The other conferees were there, but the really hard opponent of the SST, Representative YATES, a member of the Appropriations Committee in the House, who was on the Transportation Subcommittee, and who was a duly elected House conferee was never there. I talked with Representative YATES, and he said that he was never informed of this meeting between Senate and House conferees. He did not know about it. It was news to him that we were holding that conference. He was excluded. But the House conferees—that is, minus Representative YATES—did talk to us and did oppose the Senate separate termination date for the SST so that it would have to come back by itself next year.

Mr. BIBLE. Mr. President, will the Senator yield at that point for what I think he will admit is a clarification?

Mr. PROXMIRE. Mr. President, I ask unanimous consent to yield to the Sena-

tor from Nevada, with the understanding that I will not lose my right to the floor.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BIBLE. It is true that the Representative from Massachusetts, Mr. CONTE, who is an opponent of the SST, sat through the conference.

Mr. PROXMIRE. That is true.

Mr. BIBLE. I wanted to clarify that. There may have been others in that conference. Representative YATES was not there. I do not know the reason for it. I do not have the slightest idea. I can only account for what we are doing here. I do not know why they did what they did there, and perhaps they do not know why we did what we did here.

Mr. PROXMIRE. Representative CONTE was there, but the most vigorous opponent of the SST, the man who had introduced the motions in the House and led the fight there against the SST for several years and was a conferee, was not even notified and was not present.

Then the Senate conferees had a second meeting, in the majority leader's office, and voted, 7 to 2, with Senator CASE and myself voting "Nay"; but the majority of the conferees voted to notify the House that they would accept a continuing resolution, which is before us—that is, with the entire Department of Transportation and SST together expiring on March 30, 1971.

Let me reiterate that the House never has to this day asked for a new conference. Instead, a resolution was introduced to the floor of the House under a closed rule. At least, at this point one would think the House leadership would permit the resolution to come in under an open rule and permit an amendment to be submitted on the SST. But they would not take that chance. They did not want the House to have a chance to vote up and down on the SST.

Mr. President, the options available to the House opponents of the SST were sadly limited. But the SST opponents took advantage of those options. First the anti-SST forces had the chance to oppose the House Rules Committee and say, "No" to the closed rule—really bucking city hall over there, something that is hard to do, a tough procedural motion. They lost it, although they got quite a few votes. They also had an opportunity to vote down the conference report, and that was no real alternative. It never has been an alternative. Once they got on the conference report, with everything that is in it, the SST was home free. Of course that has been the saving grace of the SST from the beginning: wrap it snugly in the transportation appropriation bill in the House without a vote on the SST itself. After that majority opposition in Congress is helpless. It does not mean a thing.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield, with the understanding that I will not lose my right to the floor.

Mr. MILLER. Could the Senator tell us whether or not there was a rollcall vote on the motion to reject the closed rule?

Mr. PROXMIRE. There was a rollcall vote on the motion to reject the closed rule, and there was a rollcall vote on the conference report. My argument is that both of those were procedural motions that were very difficult. It was not like receding to the Senate. It was not like voting up and down on the SST. It gave every advantage to the proponents of the SST.

Mr. MILLER. Does the Senator recall approximately what date that vote was taken?

Mr. PROXMIRE. That was last Thursday.

Mr. MILLER. I thank the Senator.

Mr. PROXMIRE. Mr. President, I am very concerned about this dreary record, and I will oppose this resolution and not let it become law unless I get certain clear assurances from Senators STENNIS, BIBLE, and MANSFIELD. That what has happened this year—which I shall be specific about—will not happen in March. I want to be sure that the SST is not tucked away in the Department of Transportation, impregnable from any further up and down vote and home free after the Senate has voted not to fund it. I know that the present resolution provides, or may provide—as a matter of fact I found out this morning that some previous information I had from people whom I thought were expert parliamentarians in the House was wrong, that it will still be possible in the House not to permit an up and down vote on the SST in March when we come in to extend the DOT Appropriations. We do have some kind of informal understanding that the DOT resolution will be given an open rule in March. But this unfortunately, has not been buttoned up completely because it is informal, nothing in writing, nothing said on the floor of the House about it, but an informal understanding. It is vague, completely uncertain, but there is some assurance that House Members will have a right to vote, an informal understanding, that will do this, in the House on the SST under an open rule. This might just might permit a vote on the SST at that point in the House but that is all we have, a vague general understanding with certain House leaders.

The resolution now before us cannot provide anything else. I am determined to get a commitment not to repeat the sorry record of hiding and nursing the SST with procedural protections from a vote up or down in the House, at all stages, so that the story I have just described will not be repeated in March.

Let me quickly recapitulate the history of the refusal to permit the SST to come to a vote on its merits in the House, and then to the Senate.

The initial authorization—if an appropriation of \$1 million, \$100 million, or \$1 billion is made, we certainly expect to have an authorization. On the authorization of the SST, the initial authorization in the act of 1958 merely provided for the FAA to develop experimental aircraft. That is the basic authorization. No amount, no limitation, no conclusion. That is the only authorization we have ever had for the SST.

That vague language was relied upon as authorization for the program on which Congress has spent hundreds of millions of dollars, and possibly will require billions of dollars. There was no direct vote even on this.

In 1965, when the Department of Transportation was established, it was given jurisdiction over civil supersonic programs. Some people claimed that was some kind of subtle authorization. But this was strictly jurisdictional with no substantive authorization of the program. In any event, there was no vote on that at all.

Through the end of 1969, despite growing opposition to the program, there were no record roll call votes relating to this issue in any way whatsoever in the House of Representatives. House opponents were only permitted to use the teller vote, which avoids having a Member recorded on the issue by name.

In May 1970 this year, Representative YATES succeeded in having a record roll call vote on moving the previous question (he lost 176 to 162) but this was a procedural move and did not involve a direct up and down vote on the SST.

When the SST came over to the Senate at the end of May, it encountered a 6-month delay in the Appropriations Committee. Proponents of the SST were unwilling to report the DOT appropriation bill to the floor prior to election day for fear of a vote.

Senate vote did not take place until early December, more than 6 months after the bill came over from the House.

When the DOT bill was about to go to conference, YATES moved to recommit to conference with instructions to delete the SST. YATES' motion was opposed on procedural grounds in the House and lost 213 to 174. Not a direct up and down vote on the SST.

After conference committee gave SST \$210 million and conference report went back to House, YATES sought to have the report recommitted with instructions to take out the SST. Vote was procedural, opposed by leadership, lost 205 to 185.

After Senate filibuster (which we held in order to prevent an up and down vote on the conference report which would not have reflected the Senate's views on the SST) the conference report was tabled and new Senate conferees were appointed. House refused to formally appoint its conferees for fear of an instruction motion by YATES. Vote was again avoided.

Continuing resolution for 3 months brought up in the House under a closed rule (prohibiting amendment to delete SST funds) in order to avoid a vote.

Mr. FULBRIGHT. Mr. President, will the Senator from Wisconsin yield for an observation?

Mr. PROXMIRE. I am happy to yield to the Senator from Arkansas for an observation, without losing my right to the floor.

Mr. FULBRIGHT. Mr. President, I assume the Senator is now getting ready to discuss in more detail what he believes to be necessary. I first want to congratulate him on such an excellent and concise review of what actually is taking place.

I have been in the Senate for 26 years and I do not recall ever having an account of this kind of maneuver, especially when it involves the majority will of the Senate and possibly of the House. We do not know positively about the House, but—

Mr. PROXMIRE. May I say to the Senator that I think in the House a majority has never really had a chance to express itself at all on the SST itself—not once—never.

Mr. FULBRIGHT. I do know about the Senate. I suspect that is true in the House. I believe the Senator mentioned \$750 million which has already gone over that amount. There has been much misinformation spread about this in the past. What I particularly want to raise is, first, that I have had the greatest admiration for the way the Senator from Wisconsin has conducted himself in the face of a difficult program. He has made the greatest single contribution, perhaps, in trying to maintain the integrity of the Senate as an institution, by his insistence that we be given an opportunity to vote upon this program.

I also wish to say I have told the Senator that unless we could have a fair up and down vote, I would be perfectly willing to take the full responsibility that he has borne primarily to defeat this program. I want the Record to show that I personally completely support the position of the Senator from Wisconsin. If, in his wisdom, he would decide to proceed to the last hour of this Congress, I would be perfectly willing to share the burden, whatever it may be, of physically delaying this matter. I say this because I feel as strongly as does the Senator from Wisconsin about it. I think he has been eminently correct in his judgment as to its significance, which goes symbolically far beyond just the SST. If we are to preserve the democratic system and the integrity of the Senate, we cannot allow this procedure to succeed. So I want the Record to show that I fully share the Senator's attitude for the way this matter has been handled, and I await the explicit and specific guarantees, which would justify our allowing this present resolution to be adopted. But for fear that I might not get another opportunity, I cannot say too strongly how much I admire the tenacity, the perseverance, and the great physical burden the Senator from Wisconsin has borne, as well as the great mental anguish from the pressures put upon him. The Senator has endured much during these past several months in the interest of the public welfare of our people.

Unfortunately, in our system, public welfare is so diffused as to be difficult to put in focus, because those who represent special interests are encouraged in many different ways, I think then that the Senator has rendered a great service to his country and this body in what he has been doing. I support him completely.

Mr. PROXMIRE. I cannot thank the Senator from Arkansas enough. He has been a tower of strength on this. He has been very firm. Of course, he has the experience and the knowledge of Senate

operations having been through this kind of thing himself often. He has been tremendously helpful.

Mr. MILLER. Mr. President, would the Senator yield for a question?

Mr. PROXMIRE. I yield.

Mr. MILLER. Mr. President, do I understand that the Senator is insisting upon and hoping for an agreement which will insure a vote on the SST item separately some time on or before next March 30?

Mr. PROXMIRE. I will spell that out in a minute, if the Senator will permit. I want to ask the majority leader, the Senator from Montana (Mr. MANSFIELD), the Senator from Nevada (Mr. BIBLE), and the Senator from Mississippi (Mr. STENNIS) that question in the next 5 minutes or so. However, I want to proceed with this matter so that we will know what we are talking about. I think that I will answer the question of the Senator from Iowa as I proceed.

Mr. MILLER. Mr. President, will the Senator yield further?

Mr. PROXMIRE. I yield.

Mr. MILLER. Mr. President, if this is so, do I understand there would be a continuing resolution running through March 30?

Mr. PROXMIRE. There is, as the Senator knows, pending at the desk and pending before the Senate, a continuing resolution through March 30, 1971, which does provide for the entire Department of Transportation's appropriations, and that continuing resolution terminates March 30.

Mr. MILLER. The Senator from Iowa is aware of that. What I want to find out from the Senator from Wisconsin concerns what efforts were made, and with what reaction, to an attempt to have the continuing resolution run to an earlier date.

Mr. PROXMIRE. Mr. President, the Senator from Wisconsin tried hard. The amendment at the desk would have this continuing appropriation run until February 15. I wanted the date of January 28. But after very long and difficult discussion about the matter, I became convinced that because of the difficulty of organizing the House and the Senate and because of the rule XXII fight, that would not be fair or realistic. It would be too late to press that probably. I am introducing this amendment so that we will have something to talk about.

I will talk until noon tomorrow if necessary in this matter. This amendment could not very well be pressed, because if it were agreed to by the Senate, the House could not get a quorum. That would kill the whole thing. I do not want to be put in that position.

Mr. MILLER. The Senator will recall that an earlier date was suggested.

Mr. PROXMIRE. The earlier date is in the pending amendment now. That would be February 15.

Mr. MILLER. But even if the Senate should approve the amendment to make it February 15, then, as I understand it, that would be an empty gesture.

Mr. PROXMIRE. It would be fatal. It would mean the end of the bill. We cannot agree to an amendment by which the whole thing would be killed.

Mr. MILLER. Is the House not in session?

Mr. PROXMIRE. The House is in session, but the House had trouble getting a quorum on Thursday. A quorum in the House now is virtually impossible. Perhaps they could get a quorum, but it would involve a very serious risk.

Mr. MILLER. The point is that if a satisfactory agreement, which the Senator from Wisconsin is seeking to obtain, is not worked out, there might be action on an amendment to make February 15 the date, thus leaving it up to the House. And if one Member of the House wants to object, that is too bad. But the burden is on them.

Mr. PROXMIRE. I do not think we have to do it. That is not necessary. The Senator from Iowa or the Senator from Wisconsin or any other Senator could talk until noon tomorrow and that would be the end of it. But that will not happen if we get the assurances we require.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield to the Senator from Washington without losing my right to the floor.

Mr. MAGNUSON. The Senate voted on the SST.

Mr. PROXMIRE. Indeed it did.

Mr. MAGNUSON. What the Senator is talking about now concerns the entire legislative process, not just the Senate. The Senate voted against the SST and the House voted for it. We arrived at a compromise in conference, a compromise that reduced the amount of funds for the SST previously approved by the House.

Mr. PROXMIRE. The Senate voted against the SST and the House never really had a chance to vote on the SST. A compromise was arrived at which was completely unsatisfactory to me.

Mr. MAGNUSON. The Senator from Wisconsin did not like the compromise.

Mr. PROXMIRE. The Senator is correct.

Mr. MAGNUSON. But are the facts not correct, that the Senate voted against the SST and the House voted for the SST, and there was a compromise in the House-Senate conference which the Senator does not like.

Mr. PROXMIRE. There has not been a straight up and down vote on the SST in the House.

Mr. MAGNUSON. That is the Senator's personal opinion, but I am trying to get a yes or no answer. The Senator does not like the compromise.

Mr. PROXMIRE. That is part of the answer, yes. I do not like the compromise.

The principal disadvantage to those of us who oppose the SST is that it does not call for a vote in the House. Under the rules, we may or may not have a vote on the matter in the House.

The main advantage of this is very simple, and that is that it provides pressure that by next March 30, the SST matter will be settled and that we will be required to come to a vote when we come back under circumstances in which there will not be pressure because we will not have a vacation ahead of us and will not have circumstances in which Sena-

tors are very weary from having worked very hard for an entire year, and they will not have a feeling that they will lose their vacations if they vote against the SST, and the House members will not have that feeling. We will not be in a position of having our own supporters feel that they should agree under those circumstances.

We have been through this SST fight, and I think that the members of the Congress are much more aware of the demerits or the SST now than they were before.

For all of these reasons, I think we have some advantage in the negotiations.

It is certainly not something that we could count as a failure. And it is not something that we could count as a victory as of this time. Whether we can claim it as a victory depends upon the action of Congress next March. I think we will have to see what happens when we come back in March before there is any determination of whether we have won a victory. We could lose without an up-and-down vote on the SST, because it was protected by the Department of Transportation bills. We know what that means from bitter experience. We have just gone through it. It means that the SST is covered in, in the House without a direct vote.

There is an old saying: "Fool me once, shame on you. Fool me twice, shame on me."

It would be shameful, it seems to me, if we permitted the House to get away with this again.

That is why we seek reasonable assurance so that the resolution will not become law. I will talk on the matter if necessary all day today and until noon tomorrow unless these assurances are forthcoming now. If the SST is supported in one House and killed in the other House, the question is will the conferees then go back to the floor of the House and Senate with the conference in disagreement on funding the supersonic transport. Those of us who are opposed to the SST would like to see both Houses decide by an up-and-down vote on the SST whether it should continue.

Mr. STENNIS. Mr. President, will the Senator from Wisconsin yield?

Mr. PROXMIRE. I yield.

Mr. STENNIS. Mr. President, I make this observation. The Senator from Wisconsin wants these assurances. What about giving us a chance to give them to the Senator? We had a discussion on Thursday.

Mr. PROXMIRE. That is exactly what I am seeking now.

Mr. STENNIS. I do not want any atmosphere to be created that would make it look as if I am acting under the threat of duress.

I have already discussed this in a spirit of compromise. I said on Thursday night what I was willing to do to get the bill. That was in a spirit of give and take. But the idea of the Senator's saying that unless we give those assurances, he will do so and so sounds to the press and to the public like duress that I do not think the Senator intends to imply.

I think that he has handled himself very well with respect to this matter.

Mr. PROXMIRE. Mr. President, the Senator from Mississippi is a gentleman and a man of complete honor. But it is very important that we have this on the RECORD.

Mr. STENNIS. I think the Senator is correct.

Mr. PROXMIRE. There have been misunderstandings. Private agreements in the past I think we should have this on the RECORD and in public.

Mr. STENNIS. The majority leader is entitled to speak first, I think. That is why I am not insisting on this. I think the Senator from Nevada should have a chance to speak.

Mr. PROXMIRE. I would like to have the majority leader, the Senator from Mississippi, and the Senator from Nevada all respond to my request that in the event of disagreement between the House and the Senate on the SST part of the bill, the conferees agree to come back to the Senate in the first instance in disagreement so that it will be possible for the Senate and House to work their will.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. MANSFIELD. Mr. President, I want to say that, as majority leader, I can assure him I will make every effort to see that that is done to the extent possible within the rules of this body.

I would be very hopeful that the suggestion—not demand, but suggestion—just made by the distinguished Senator from Wisconsin would be acceded to, and I can give him my personal word that as far as I am concerned I will make every effort to see that which he desires comes to pass.

Mr. PROXMIRE. I thank the distinguished majority leader. That is most helpful.

Mr. BIBLE. Mr. President, would the Senator yield?

Mr. PROXMIRE. I yield to the Senator from Nevada.

Mr. BIBLE. Mr. President, since I am the acting chairman of the matter in which we are involved at the present time, I want to comment on the assurance that the Senator is requesting. I think there is no doubt in the world that the Senator will have a straight up and down vote in the Senate on the SST on further funding for fiscal 1971. I think he understands that because he has the right to amend the House version. As for the House, I am not in a position to speak for the House. I can speak for only one person, and that is myself. But I think the House would likewise indicate that they would give assurance that they will have a straight up-and-down vote on the SST in March. We have to face up to that, up or down.

I concur with the majority leader. I will do my best to see the Senator does get a straight up and down vote.

Mr. PROXMIRE. I want to make clear what we are discussing. What I am talking about is if there were an up and down vote in the House to begin with and they vote for it, and then, there is an up and down vote in the Senate and we vote against it, at that point I want the Senator to agree that the conferees would then come back to the Senate in disagree-

ment on the SST so we would then have the opportunity to vote up and down on the SST, and if we sustained our initial position, it would go to the House and they would have the opportunity to vote.

In other words, we want two cracks at it. That is our condition for not killing this bill tonight or tomorrow.

Mr. BIBLE. I understand. I concur in the assurance of the majority leader that I will use my best efforts to see, should the problem arise as the Senator from Wisconsin described it, that if it would be brought back in disagreement that there would be an opportunity for another vote. I cannot bind other conferees. I may not be a conferee myself next year. I think I will stay on the Interior Appropriations Committee where we do not have quite as many problems. But as far as I am concerned the Senator has been given my assistance. I certainly cannot bind other Senators.

Mr. PROXMIRE. I wish to say to the distinguished Senator from Nevada that there is no way you can button this up completely. It is possible there will be new members on the subcommittee, but that is not likely. The expectation is that the Senator from Nevada will be on the committee, and that the ranking minority member on the committee will be the Senator from New Jersey.

If I can get assurance from those Senators, we will be in a position where there is reasonable assurance that that procedure will be followed.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. MANSFIELD. The Senator referred to the fact that he has achieved "some advantage." In my opinion, the Senate has achieved an outstanding victory and a lot, lot more than I thought would be possible. But my reason for asking the Senator to yield at this time is to inform him and the Senate that this morning I requested the acting chairman of the Appropriations Committee, the senior Senator from Louisiana (Mr. ELLENDER), to take me off the Subcommittee on Transportation and to give every possible consideration to placing the distinguished Senator from Wisconsin, who now has the floor, on the committee in my place.

Mr. PROXMIRE. I thank the distinguished Senator very much.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield to the distinguished Senator from Mississippi.

Mr. STENNIS. Mr. President, I thank the Senator for yielding to me.

Mr. President, may we have quiet, please?

The PRESIDING OFFICER. The Senate will be in order.

Mr. STENNIS. Mr. President, I appreciate being yielded to so we can have this understanding appear in the RECORD. As I said before, Thursday evening, about 6 o'clock, in the majority leader's office, and in a spirit of conference and compromise we reached an understanding, and I made certain promises and offered to come on the floor of the Senate as soon as we reached this at that meeting. However, for good reasons the Senator

from Wisconsin wanted some time. Here is the agreement I made, as I understand it:

That if I am a member of the conference when this matter comes back before the Senate in, prospectively, March 1971, and the SST funds are kept in the bill by the House and are voted out of the bill by the Senate, then at the conference my position would be—speaking only for myself, although I would argue in favor of the position being adopted—that the SST item be brought back to the Senate in disagreement.

Is that the recollection of the Senator from Wisconsin?

Mr. PROXMIRE. That is exactly correct. What the Senator said is precisely our understanding. I very much appreciate his assurances on the record.

Mr. STENNIS. It occurs that the course the matter might take after that one could not tell. There might be action there that would change the figures, and so forth; but that, I understand, gives the Senator what I thought he was entitled to get.

Mr. PROXMIRE. That is correct.

Mr. STENNIS. Let me say this as a Senator: I do not favor the idea of making pledges in advance. I think a conference is for the use of discretion and judgment, and I think it sets bad precedent; but I was influenced by the fact—and I am not any more interested in the SST than in the hundreds of other items we pass on in the course of a year—that we are confronted with a situation where we are going to have a constitutional adjournment for this Congress without any kind of appropriation bill being passed for a department of Government that is so large it has a Cabinet member at its head and so vital, in that it contains, for instance, FAA funds, including the air controllers, and a great many other items. It is inconceivable we could let that happen. It would be a failure of the legislative branch to act. We would be subject to severe censure by the people and we would deserve it.

I never had any doubt about the obligation and duty to try to avoid a situation coming up like that—a failure to function in a disagreement of Congress. That is more important than the Department of Transportation.

I commend the Senator for the fight he made, for the persistence and skill he has shown. But I think he is incorrect on some of the allegations he related here this morning as to any kind of conspiracy to do some diabolical act to get this measure passed. Other bills have been delayed. The Department of Defense bill was just passed this week.

Mr. PROXMIRE. That passed October 8, I understand—the bill.

Mr. STENNIS. I mean the Department of Defense appropriation bill. We just finished it here last week.

Mr. PROXMIRE. But it passed the House on October 8. But this DOT bill, the pending bill was passed by the House May 27.

Mr. STENNIS. I just reiterate that no one Senator can have his way. I cannot. I found that out a long time ago. Talking about coming back from conference,

there was an item in which I was vitally interested. It got smothered in the conference, but I have not been complaining bitterly about that. That is part of our process.

I commend the Senator for the fine fight he made.

I want to check the record now to see that I get my agreement spelled out.

Mr. PROXMIRE. I thank the Senator. Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. PROXMIRE. I shall yield to the Senator in just a moment.

I thank the Senator from Mississippi. I want to assure him at no time did I feel there was any conspiracy or diabolical act, but no one can challenge the facts I have stated about the SST. I think the facts I have set forth are truthful and they are an indictment of how this matter was handled without a real opportunity for the House to vote on the matter, having been under the protection constantly of the DOT transportation bill and the conferees who were very friendly to it.

Mr. MAGNUSON. I hope the Senator will realize I am a member of this conference. I do not know whether next year I will be or not, but if I am, I have made no commitment of any kind.

Mr. PROXMIRE. That is correct. There is no question about that.

Mr. MAGNUSON. Second, I want to say that I think it is a poor thing when we have to commit Senators for something 2 or 3 months down the road in a new Congress in order to accommodate someone who did not like the procedures of the House and the Senate. I do not like some of the rules, but that is how it is until they are changed. I think it is a sad commentary on Congress when we have to commit Senators as individuals—we cannot commit a new Congress to begin with—to something that may or may not happen. I do not know what is going to happen. I think we had an honest DOT conference. Conference committees will be here, even though the Senator from Wisconsin may not like them, when he and I are both dead and gone. Legislation will never be passed unless there is give and take in a conference.

Mr. PROXMIRE. Of course there must be give and take in conference, but how can we settle a matter when the House has one view and the Senate has another view?

Mr. MAGNUSON. But we settled it.

Mr. PROXMIRE. When we go to conference the Senate conferees should fight for the view of the Senate for weeks, if necessary. They fought 1 day. Then, if there is a dispute, it there is an absolute confrontation, we should go back to the House and Senate in disagreement. This is all we are asking.

I ask unanimous consent to yield to the Senator from New Jersey without losing my right to the floor. I would like to ask the Senator from New Jersey (Mr. CASE), who is the ranking Republican member of the Transportation Department Subcommittee, his views on reporting the SST in disagreement if the funds for the SST are kept in by the House and taken out by the Senate.

Mr. CASE. Mr. President, I certainly

do not intend to add to any acrimony that may suffuse this body on the last day of its existence, and I shall not, I am sure.

The Senator from Wisconsin has done an extraordinary job, in the opinion of the Senator from New Jersey. It has not been in abuse of any of the rules of the Senate or of the conference or its traditions, in my opinion. It is, rather, done in the use of those rules and procedures to accomplish a just end.

Just as I respect and admire the Senator from Washington and his colleague for the diligence with which they have pursued a matter from a side in which they are deeply committed, in the use of all the procedures available to them in committee, formal and informal traditional and all the rest, in bringing the matter to the conclusion that they thought right, so I commend the Senator from Wisconsin for using all the procedures of this body, including the right of indefinite speech, to the same end. I think nobody needs to be unhappy or ashamed about it.

As to the specific question which the Senator directed to me, I am every happy to join several of my colleagues who have said that, in the event of a disagreement in conference when the matter comes up next, I certainly do intend to support the proposition that the issue of the SST, or any other issue at that time that we think ought to be in question—but specifically that—be reported back to each House in disagreement so that there must be a separate vote on that issue. I think this is quite true.

It is a fact that if we had separate votes on all authorizations in all bills, the legislative process would break down. Indeed it would. But then any proposition pressed to those terms would present all of us with an absurdity, and it is never done.

This is a large matter. It is a matter which is inherently separable from the ordinary business of running the Department of Transportation or the transportation system of this country, and I think that is wholly right. And here I do have a disagreement with the Senator from Washington, for those who so feel that we state that this is our intention in the event of a disagreement in conference next March.

Again I want to commend the Senator from Wisconsin. I do not think he has abused, in any sense, his privileges and his rights as a Member of this body in the way he has handled himself. In fact, I think he has used them to produce a measure of justice and has made a contribution to a wise decision that I would venture would not have been done earlier this year.

Mr. PROXMIRE. I thank the distinguished Senator.

Mr. CASE. May I say one further thing, Mr. President?

Mr. MAGNUSON. Mr. President?

Mr. CASE. "Mr. President" is the formal address to the Chair, with the permission of the Senator from Wisconsin. May I say that there were certain other statements made by prominent members of the House Appropriations Committee, at the informal conferences, that may

not be appropriate to state here, but they were encouraging to me as assurances that the procedures of that body would be furthered to get a separate vote in that body.

Mr. PROXMIRE. I thank the Senator.

Mr. BIBLE. Mr. President, will the Senator yield to me?

Mr. PROXMIRE. I yield to the Senator from Nevada.

Mr. BIBLE. Because I think we have given the assurances formally that the Senator sought, and because I must leave for the West—the Forty-Niners are to play the Cowboys, and I wish to be there—I simply wish the Senator a Happy New Year and say that he fought a good fight, and I will be back in the same arena next session. I wish him a Happy New Year.

Mr. PROXMIRE. May I say that as long as the Green Bay Packers are not involved, my best wishes go with the Forty-Niners. [Laughter.]

Mr. STENNIS. Mr. President, if the Senator will yield, I want to thank the Senator for the long days and weeks he devoted to this matter. I got myself out of that situation and got him into it, and I want to thank him for his efforts.

Mr. BIBLE. I think perhaps we are over the rough spot. If the Senator from Mississippi will yield, with the permission of the Senator from Wisconsin, I would hope that the Senator from Mississippi may be able to leave. I understand they have a team called Mississippi with Archie Manning on it that is going to play sometime today. I hope he is able to see that game.

Mr. President, this was a fine education for me. I have learned more about parliamentary procedure, and I think I am almost up to what Dr. Riddick, our able Parliamentarian, has been able to do so many times; but we will be back next session to labor in the vineyard, and I am sure men of goodwill will work it out. So I merely wish a happy New Year to you.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. MANSFIELD. May I say that no one has been more determined, more obdurate, more obstinate, more stubborn than the distinguished Senator from Wisconsin, and no one has been more considerate, more fair, more tolerant, more understanding than the Senator from Nevada; and it appears to me, as one who is on the side of the Senator from Wisconsin, that what we have had, in a parliamentary sense, was almost a collision of an immovable force and an irresistible body. We are not over the hump yet, but things are looking up. I want to say that on the question of demands, of course no Senator could, or should, or would give in to any demand.

But what we have done is give our personal word that, to the best of our ability, we will assure the distinguished Senator from Wisconsin that we will do all we can, individually and collectively, to achieve the end which he desires, which I think is reasonable, and which I think is an objective which hopefully can be achieved, and the Senator from

Wisconsin satisfied, on the basis of the long, determined fight that he has waged in opposition to the SST.

Mr. PROXMIRE. Mr. President, I thank the Senator.

Mr. MAGNUSON. Mr. President, will the Senator yield so that I might engage the majority leader in colloquy for a moment?

Mr. PROXMIRE. I yield for that purpose.

Mr. MAGNUSON. I want to wish everyone a Happy New Year, too—a better new year, and a better year in Congress. I was here in 1969 on the night before Christmas. I think the majority leader and I and two or three other Senators were on the floor with another pesky problem—the HEW appropriations bill. I remember, after we got it through, after that long time that I suggested again that there must be a better way to run Congress. And there has got to be a better way. I hope we come back here next year, regardless of SST's—or the HEW bill, which again this year was here in the Senate until day before yesterday and that we will sit down and see if we cannot change the rules of Congress to get at these matters immediately, up or down, without all we have gone through here for the last 3 weeks.

Mr. MANSFIELD. Mr. President, may I say I agree fully with the distinguished Senator from Washington, and I think the answer would be what he has been advocating for more than a quarter of a century, to my personal knowledge, and that is to operate on a calendar year basis, and to operate each session on a two-shift basis, part legislative and part appropriation. Senator MAGNUSON's bill has been considered by the committee, it does have 65 cosponsors, and in my opinion it is one way to bring about a change in line with the times. I give the Senator credit for what he has been trying to achieve, especially on his own, in this field for the last quarter of a century, though I do not expect the Senate will give it the attention it deserves.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield to the Senator from Arkansas, without losing my right to the floor.

Mr. FULBRIGHT. Mr. President, I cannot let pass a comment a moment ago that I do not think the Senator from Mississippi intended, for I am sure that neither he nor I nor anyone is alleging any conspiracy or anything against the rules.

I think both sides, of course, have been fully interested in this matter, and have taken full advantage of the rules as they see them. Being intensely interested, of course, they naturally would do that.

I do wish to comment that it is hard for me to think of a case in which the Senator from Mississippi has not had his way. He said he did not always get his way. I began to think about that, and I cannot recall from memory any instance in which he has not had his way.

Likewise for the Senator from Washington. I have the greatest admiration for both these Senators. I have always envied the Senator from Washington and the Senator from Mississippi for the

way they seem to be able to get everything their constituents could possibly imagine could be in their interest.

This has been going on for a very long time, and I have had nothing but envy and admiration for the Senators' capacity and ability. But this is a different case, and I think the Senator from Wisconsin has correctly analyzed the significance of this particular issue. It is not directly—certainly I do not consider it such—a matter for the benefit of the Senator from Washington, the Senator's constituents, or anyone else. This is a national issue, quite different from the things I had in mind when kidding the Senator from Washington about such projects as dams on the Columbia River. All of us, of course, have an interest in public works programs within our States. Unlike those, this is a national issue.

This understanding we have been discussing is based on the assumption that we have the same conferees on this bill the next time. So I ask the Senator from Wisconsin what happens if there are different conferees? Would not that mean that all he has undertaken to establish here would be nullified?

Mr. PROXMIRE. There is no way we can protect against that, to my knowledge. The acting chairman of the Appropriations Committee could perhaps make a statement on that. I do not think that it is necessary. I think there is every likelihood that we will have the same makeup of the subcommittees. These subcommittees are pretty stable. I have been on the Appropriations Committee now for 7 years; and I think it would be very unlikely that all the members would get off and an entirely new set of members come in.

If that did happen, then I think we would have a weapon left, which is, of course, the same weapon we have right now. This continuing resolution expires on March 31, and we will be up against the gun.

Mr. FULBRIGHT. The reason I raise the question is because the Senator has already called attention to one of the traditions of the Senate, that the majority of the conferees should be in accord with the Senate's position. If they are not the same, I am raising no point that they should not be; I am just raising the point that the present Members have had very explicit understandings. I accept that with the greatest good faith. But if the conferees are different, it seems to me the understanding ought to be that they would be in accord with the traditions and rules the Senator has already stated, that is, that the majority would be in favor of the Senate's position.

Mr. PROXMIRE. That is important. We did not press that at the time it came up; so we were perhaps as delinquent as the others. It was in our interest to press that rule, and we did not.

However, even if the conferees were in favor of the Senate's position, it is possible that the SST could be continued without going back for a vote. There are all kinds of SST opponents, including some who might feel differently on some kind of extension of the SST.

Mr. FULBRIGHT. The Senator raised that point. I just thought possibly some of these Senators, after these long and time-consuming experiences, may not want to be on this conference. I would not blame them. One would not go out seeking to be on a conference as controversial as this. They very well may have other matters of more importance. I was just anticipating this, because the Senator mentioned that rule, which I had also thought was the practice of the Senate.

I would hope that would be implicit, at least, in these understandings, but if there should be new conferees, they should be in accord with that rule.

Mr. PROXMIRE. That is right. And again, we want to avoid any necessity, in our feelings, to go ahead after March 30 and delay action on the whole transportation bill until April and beyond; we want to avoid that at all costs. But if we are driven to the wall, and feel we have been treated very unfairly, and so on, we might well do that.

Mr. FULBRIGHT. I want to make clear that my interest, and I believe of the Senator from Wisconsin, is not to force the Senate to do anything other than to have a clear opportunity to vote on these matters, up or down. That is the only objective the Senator from Wisconsin has had, I believe, and it is certainly my own objective. I am not so interested in this matter that I would want to filibuster forever to try to force an issue which I thought was against the will of the Senate. It was simply to carry out the will of the Senate that all of this has taken place.

Mr. PROXMIRE. Mr. President, I yield to the Senator from Louisiana, without relinquishing my right to the floor.

Mr. ELLENDER. Mr. President, I do not believe there will be any change on the subcommittees, except that the Senator from Montana (Mr. MANSFIELD) has asked to be relieved from being on that committee, so that the Senator from Wisconsin can get on the committee, and as far as I am concerned, I shall be glad to concur with that, if I am still acting as chairman.

I shall be anxious to have the distinguished Senator from Wisconsin on that committee—that is, the conference committee—so that he can see for himself what he is up against when he meets with the House Members.

Mr. PROXMIRE. I thank the distinguished chairman of the Appropriations Committee.

Mr. STENNIS. Mr. President, if the Senator will yield to me, I want to make clear that I have no intentions of trying to leave the subcommittee—not according to anything I know now—but I think the Senator from Wisconsin is eminently correct in not trying to push this thing farther than just to obtain the expression by some individual Senators as to what they would do. I think if we get beyond that, it is transgressing on the other Members and on the Senate in its functioning power. I just thought maybe next time this matter must go before the full committee, anyway, this continuing resolution, instead of a subcom-

mittee. It has gotten to be such a mountain of controversy that maybe the full committee would want to consider the continuing resolution originally. I have not mentioned that to anyone; it just occurred to me.

Mr. ELLENDER. They now come before the full committee.

Mr. STENNIS. That is correct. It will go before the full committee first.

Mr. PROXMIRE. I yield to my colleague from Wisconsin.

Mr. NELSON. Mr. President, first, I want to commend my distinguished colleague from Wisconsin, who initiated the fight over the issue several years ago and fought a lovely battle with, as I recall, only 15 to 22 Members of the Senate supporting his position. He is to be commended for his persistence on this issue and the effectiveness with which he has debated it.

I know that the two distinguished Senators from Washington as well as the other proponents of the SST in this body have supported it on the merits, in their conviction, that it is a sound enterprise for the United States, and that their conviction that they are correct is as strong as our conviction on our side of the issue.

I should like to mention one thing that I think Congress and the country will have to address itself to, which is peripheral to the issue before us. The Boeing Corp. has gone from 101,600 employees about 2 years ago down to some 46,000 now. I note that it is estimated that just in the normal course, without regard to what happens with the SST, Boeing's employment level will drop to somewhere around 35,000; and that if the SST were defeated, it would drop another 5,000 to 7,000. In any event, without regard to the debate over the SST, Boeing Corp.'s employment has gone from 101,600 people some 2 years ago down to a predicted 35,000.

This is just one example of the kind of rapid replacement of people in jobs in various types of industry that is occurring now and will continue to occur in the future. It is unlike the situation 30, 40, or 50 years ago, when economic, technological, and social change was much slower than it is now. Now we have a situation in which highly trained, highly skilled, highly dedicated, hard-working people, who have a significant contribution to make to the welfare of this country, are being displaced rapidly. Boeing is just one tragic example. There are others all over this country, and we will continue to see them. We have to address ourselves to the problem of how we meet that situation, in which, because of rapid change in this country, we displace hard-working, well trained people, by tens of thousands throughout the country.

Sweden is far ahead of America. Sweden is able to maintain, by its approach to this problem, a level of unemployment that rarely if ever exceeds 1½ percent, because they have planned and worked on this problem.

We cannot continue in this country without developing a program which will involve the Federal Government in depth, without developing a program to be certain that people who want to work, are capable of working and who are

needed in this country will have an opportunity for employment. We have circumstances now in which able people, well trained, from Boeing and other corporations around this country, go to the unemployment office and are told, "You don't have the skill, the exact skill, we need, and it will cost the employer too much to train you for the 6 months or 12 months to develop the skill necessary to take this job." In the meantime, we have a college educated man, highly skilled and technically qualified, who nobody is going to train. Who is going to do it? The Government does not do it. The company does not want to assume the cost. So we will run people all the way through a 6-year college course, to reach the level achieved by this displaced person in 6 or 12 months because he has all the previous education necessary and the technical qualification, and he just needs a few more months' training.

We have to address ourselves to this problem, because the tragedy we see going on in Seattle, Wash., and elsewhere around the country is just one of many that will confront us year after year with much more frequency than it ever has in the past.

It used to require 20, 30, or 50 years for some skill to be automated out, giving time for the skill to be replaced by something else. No one I know of ever saw an unemployed blacksmith in this country. We still have one in my hometown. He is not unemployed. But it took 50 years to phase out the horse, and in those periods we did not add to that skill. Now it takes 1, 2, or 3 years. We have never faced that problem before, but we have to face it now.

I want to say, also, that I am personally elated with the whole course of events surrounding this debate. Whether or not either side is absolutely right, nobody can know for some time to come. What I am pleased about is that for the first time in the history of this country we have really addressed ourselves to the serious problem of national priorities, and we have cranked into our decision-making, for the first time in the history of this country, an environmental test. Neither of these things has ever happened before. From now on, regardless of the outcome of this debate, regardless of the merits of the position taken by the proponents or the opponents, the fact is that the American public is now demanding that environmental considerations be cranked into the technological, development, and expansion decisions. From now on, that will be part of the politics in this country.

We will never see again in America a campaign such as the campaign of 1968, just 2 years and 3 months ago or less, in which not one of the three candidates considered the environmental question serious enough to justify a major speech or even a minor speech. That was just 2 years and 2 months ago. Now, in every campaign the issue of the status of our environment is going to be in the debate as a major issue, and I think every politician in the country now knows this. That is a healthy development and a necessary development in this country.

Mr. President, the extension by resolution of the DOT budget to March 30 with the opportunity for both Houses to again vote on SST funding is a commendable solution to a very serious political impasse. Continuing debate for 1 more day to the end of this Congress would not have resolved the issue since it would either force the Senate to vote cloture or the President to call a special session of Congress to fund the operations of the DOT with no absolute guarantee that we would be afforded an opportunity for separate debate and consideration of SST funds. Furthermore, our position has been significantly enhanced by assurances of the majority leader, Mr. MANSFIELD, that should the Senate again reject funding of the SST, he would undertake to the extent of his authority and influence to assure the Senate continued separate consideration of this item should it again be in dispute in conference.

The Senator from Mississippi (Mr. STENNIS) and the Senator from Nevada (Mr. BIBLE) have made similar individual assurances. This quite adequately preserves the rights and interests of the opponents of the SST, who from the beginning, have never insisted on anything more than this exact point.

We have been prepared from the first day of debate to vote without one minute delay on the specific item of SST funding. It is the supporters of the SST who have opposed separate consideration of this issue.

The vote on the SST was the first major crunch in the battle to come between those who believe that quality in American life is more important than development for the sake of development, or exploitation for the sake of exploitation.

The Senate vote is, I think, impressive enough to demonstrate that the environmental issue has come of age, that the people of this Nation are concerned about quality in life, that there is a growing feeling of dismay over our distorted sense of priorities and that after all there is something more to greatness than sheer power, speed, gross national product, and progress for the sake of progress.

The decisive vote on SST funds said all of that and more, too. It signals a dramatic change in the politics of this country.

There will never be another political campaign like the one in 1968 when not one of the three candidates for President considered the environment an issue worthy of a major speech. It is nothing short of remarkable how rapidly this issue has been thrust into the politics, the conversation and the literature of the country.

Furthermore, it is not just a passing fancy. It will not just go away as so many writers and politicians predicted after Earth Day last April 22. It is here to stay because the environment is here, and its quality is measurably and visibly deteriorating at an ever accelerating pace.

There is a growing sense of alarm over what we are doing to the planet and an

ever expanding realization that we are tampering with the quality of our lives, as well as the very survival of endless numbers of living species.

Concern over the status of our environment has been developing and spreading across this country among the people for more than a decade now. Finally it flowered in a vast, peaceful public demonstration of concern on Earth Day in April.

Literally tens of millions of people participated, from grade school students to elder citizens in every corner of the Nation. It was not initiated I emphasize, it was not initiated or led by any political faction, economic group or establishment organization. It came from the grassroots. It was unplanned and unorganized except for the selection and announcement of a date and the establishment of an information clearinghouse here in Washington, D.C. The people did the rest in their own way in thousands of schools, colleges, villages and cities across the Nation.

It was a remarkable event that marked a changing point in the politics of the country. A new issue had been born, and it is here to stay.

It is a strange phenomenon that during the whole germinating period of this environmental concern the politicians, the establishment, the press and the media were, for the most part, quite unaware of what was happening.

The debate over the SST will resume when we return in January. We will continue to explore in depth the question of national priorities and the environmental implications of the SST. It is a valuable dialog, long overdue. If it all means what I think it does, that henceforth in this country we intend to crank the environmental test into our decisionmaking and seriously debate the question of national priorities, then we have traveled a long way, indeed.

Mr. MAGNUSON. Mr. President, will the Senator from Wisconsin yield?

Mr. NELSON. I yield.

Mr. MAGNUSON. I appreciate what the Senator had to say about the unemployment problem in our local area. I think the Senator has pointed out something that will be a problem in his own State in the future. We know that a great amount of pollution comes from the internal combustion engine. I was the author of the first low-emission automobile procurement bill in Congress and the Senator joined me in that, as well as on the question of noise and fumes.

The great State of Wisconsin has 14 manufacturers of leading internal combustion machines going all the way down to the Evinrude outboard motor. There are 25,000 people employed in the manufacture of these machines in Wisconsin alone—80 percent in northern Illinois and Wisconsin. If we get further into this field of pollution, something will have to give. They cannot go ahead making these machines as they are now; they will have to make them differently.

I shall be most concerned with that problem when it arises, as I know it will be of great concern to both Senators from Wisconsin.

About 60 to 80 percent of our air pollution comes from the automobile which, added to other engines such as outboard motors, will demand an answer in the context of what the Senator from Wisconsin has just been saying.

Maybe we can phase out the internal combustion engine. It is not the fellow who is making the machines—the individual workman—that is causing the pollution, of course. This is a problem that will have to be given much thought, especially in Wisconsin, where it will be a real problem unless we can solve it properly. When that problem comes up, I hope none of us has to go through it as we did the SST.

Mr. PROXMIER. Mr. President, if the Senator will yield, the position my colleague, the gentleman from Wisconsin (Mr. NELSON), has taken on the problems of the internal combustion engine are well known. This is an example of the remarkable courage of my colleague, the gentleman from Wisconsin (Mr. NELSON). There are a large number of jobs in Wisconsin directly related to the internal combustion engine. He was the first Senator, the first public figure to my knowledge, who spoke out, calling for the replacement of the internal combustion engine, which was a remarkable position to take at the time he did it.

He has put his finger on what has been the main reason why the opposition to the SST has picked up. It is not that we worked any harder—we worked hard before—but that the conservation forces in this country, the convictions on the part of so many people about it caught fire. My colleague, the gentleman from Wisconsin (Mr. NELSON), has been out in front demonstrating his real interest in this problem. He has been out there fighting for a long time. He was doing so when he was Governor of Wisconsin, insisting that the limited State budget be devoted in considerable part to increasing funds to combat environmental pollution—this particular fight on which we have made some progress. One reason we have made progress is that we had the conservation groups who were willing to work and work hard with the public, with Congress, and with the news media, to dramatize and disclose the effect of the SST on the environment. Groups like the Sierra Club, the coalition against the SST, the Wilderness Society, the National Wildlife Federation—15 dedicated organizations that began their work in protest of the SST shortly after the vote last year in the Senate of 58 to 22 on the SST. Their work and the work of the conservationists was essential in turning this vote around. We could not have succeeded in this effort without their help. We could not have even come close.

For this I thank Senators FULBRIGHT, NELSON, PERCY, HUGHES, YOUNG of Ohio, CASE, HARRIS, MCGOVERN, MUSKIE, EAGLETON, GOODELL, COOK, BYRD of Virginia, BAYH, and I am sure there were many others.

I especially thank my legislative assistant, Mr. Richard Wegman. He did a marvelous job in preparing the complex material that we have used in our effort. It is a very complicated problem. I do

not know of anyone on the committee staff or on any Senator's staff who did a more expert and competent job than he did in this case.

I do not say this because the fight is over. It is not finished by any means. But we have made some progress.

Mr. FULBRIGHT. Mr. President, I hope that, while the decision has not been made here, the Senator will consider that it is not to be interpreted as in any way a surrender or defeat.

I believe that, while this decision is being delayed, there is every reason for the Senator from Wisconsin to believe that for the many reasons the Senator has already described he will prevail when this comes up again.

I say this because it is not proper, perhaps, for the Senator to be immodest. I would like to say that I do not think the agreement which has been discussed and entered into as a gentleman's agreement means the defeat of the Senator's objective.

I think it should be characterized otherwise. The Senator has won more than half of the battle. I think he has deferred it.

I am told on good authority—and I believe it is correct—that when the bill comes up for action in March, it cannot be extended as another continuing resolution. The bill must start from the beginning, a new bill on this subject. That again, as a procedural matter, is a further guarantee that the Senate will have an open opportunity to vote on this matter up or down. That is what the Senator sought all along.

He believes, and I think correctly, that when that opportunity comes, the result will be in favor of the position taken by both Senators from Wisconsin.

I congratulate the Senator from Wisconsin again. I do not think that he has waged a losing battle. I think that he has waged a winning battle.

He and his colleague from Wisconsin have made the matter perfectly plain. I do not know of any other Senator who would have had the persistence or the skill to do this.

The Senator has rendered a very great public service to all of the people in the country, and I congratulate him.

Mr. PROXMIRE. I thank the Senator very much.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. MILLER. Mr. President, I was going to make a comment with reference to the statement made by the junior Senator from Wisconsin. First, however, I would like to ask the senior Senator from Wisconsin a question with reference to the list of Senators whom he stated had been with him in this fight.

Mr. PROXMIRE. Mr. President, of course the list should include the name of the Senator from Iowa. These were Senators who have spoken on this matter. There were other Senators, as well, who strongly opposed the SST. The Senator from Iowa has been very helpful. Other Senators have been also. Fifty-two Senators voted against the SST. Among those were many who gave us a lot of support in many ways.

It is always risky to mention names. I know that the Senator will understand that this did not mean to be an all-inclusive list of those Senators who supported our fight. The Senator from Iowa has been a wonderful help.

Mr. MILLER. Mr. President, the junior Senator from Wisconsin had something to say about the jobs. This aspect of the SST battle has been the most difficult, I think, of all the problems for those who oppose the SST.

I would like to say to both Senators from Wisconsin that those of us who oppose the continuation of the SST are not heartless and unmindful of the great personal tragedies of the workers and their families involved in the closing out of this project.

I think that this is something that has been going on in Congress, I believe, for the last 2 years, which concerns a proclivity to reduce expenditures, especially in the Defense Department and in the space agency, without enough thought being given to what happens then to the employees and their families.

It has been said that we should not continue on with a project which is not economically sound just for the sake of providing employment.

I think most of us would agree to that as a principle. But that principle is not enough. What we need to do is to go forward and not only adhere to that principle, but adopt another principle, and that is the principle that when there is such an impact on jobs that action by the Congress and the Federal Government is necessary, there should be some kind of a proposal which would enable those industries and individuals affected to have preferential treatment in connection with other types of Government contracts.

If we do not do this, we will have these people moving away and going through a horrible traumatic experience that none of us would like to have to go through.

I believe there is a new proposal that needs to be evolved and probably enunciated by the Congress which would see to it that the Federal Government lives up to its responsibility through its contractual system so as to enable the affected individuals and industries and companies to be assured of a minimal amount of disruption. That minimal amount is going to be substantial enough as it is.

I thank the Senator from Wisconsin.

Mr. NELSON. Mr. President, I just want to respond a bit to the comment of our distinguished colleague, the Senator from Washington (Mr. MAGNUSON), respecting the question of air pollution and the whole broad question of the implications of taking vigorous action, which we should have done a long time ago, to stem the accelerating spread of pollution in the atmosphere and the waters of the ocean and the world.

The solution to any of these problems is uniform, strict enforcement of the law and expansion of our research.

As to the question of air pollution, it is certainly correct that we are the largest manufacturers of internal combustion engines, nonautomotive, I believe, of any State. We are also the largest pro-

ducers of the internal combustion engines for automobiles and the largest single employer in my State.

I introduced two amendments. One would remove the internal combustion engines from the marketplace and require the substitution of another source of power for automobiles.

Another, and a more modest one, would provide that internal combustion engines could be manufactured to meet a very low emission standard.

The Public Works Committee adopted the amendment. It became the law and required a very low emission standard from automobiles, a reduction of 90 percent of the pollutants by 1975, with one legal opportunity for an extension for a year under certain circumstances.

If that is accomplished, as I think it can be, then we will have removed something approaching 50 percent of all pollutants going into the air of this country.

Then if we proceed, as the city of Los Angeles already has, over a period of 20 years to establish standards for the control of emissions from stationary sources, we will within a decade be able to remove from the air somewhere around 75 percent to 80 percent or more of all the pollutants now being introduced into the air enveloped around the world. All these things create problems, of course, and involve some expense, too. But I simply say to those who talk about the expense that the cost of abating or substantially abating air pollution is within the means of this country to accomplish from the standpoint of investment and allocation of resources. We are able to do it. We can pay the price, but the price of failing to do it we cannot pay because the ultimate price of failing to do it is a disastrous worldwide pollution of the water, air, and soil of the whole planet, and that is underway now. I shall not go into detail at this time; it has been discussed in this Chamber a number of times before.

I simply point out that the cost of polluting the ocean so that it loses all of its productivity, as it will in another quarter of a century to a half century, is higher than we would pay to stop the majority of the introduction of pollutants into the ocean. The same is true of the air.

What we need to do in addition to expanding our research dramatically to refine pollutants out of the air and water is to expand our research and establish a rather simple standard. That standard is, that as far as air and water pollution are concerned, all polluters, municipalities and industries, shall be required to install that equipment that meets the highest current state of the art in refining pollutants from the air and water. Everybody must be required to install them. Then as we expand our research and develop more sophisticated techniques, the new standard shall become the practical state of the art. In that way, over a period of years, it is possible to substantially enhance the quality of the environment over what it is now.

Mr. President, I conclude by again commending Senator PROXMIRE from my State, who persisted so long in this fight, and so effectively, and accomplished so much. I am one of those who thinks it is

the victory of this decade and maybe longer on the issue of environment because for the first time it has involved a major ongoing technological program of worldwide significance, and that is a victory of tremendous proportions, in my judgment.

I commend the Senator for his long persistence in this effort.

Mr. PROXMIRE. Mr. President, what is the pending question?

The PRESIDING OFFICER. The pending question is on the amendment of the Senator from Wisconsin.

Mr. PROXMIRE. Mr. President, I withdraw my amendment.

The amendment was withdrawn.

The PRESIDING OFFICER. The joint resolution is open to amendment. If there

be no amendment to be proposed, the question is on its third reading and passage.

The joint resolution (H.J. Res. 1421) was ordered to be read the third time, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, for the information of the Senate, I wish all Members would remain in the Chamber after the distinguished Senator from Nevada completes a brief statement he is going to make.

Mr. GRIFFIN. Mr. President, will the Senator from Nevada yield to me briefly?

Mr. BIBLE. Mr. President, do I still have the floor?

The PRESIDING OFFICER. The Senator from Nevada has been recognized.

Mr. BIBLE. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a summary showing the budget estimates and the House and Senate versions of H.R. 17755, and the rate for operations through March 30, 1971, as established by House Joint Resolution 1421, making further continuing appropriations for the fiscal year 1971.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES

Summary of 1971 budget estimates, House and Senate versions of H.R. 17755, and the rate for operations through March 30, 1971, as established by H.J. Res. 1421.

Agency and item	New budget (obligational) authority fiscal year 1970	Budget estimates of new (obligational) authority fiscal year 1971	New budget (obligational) authority recommended in House bill	New obligational authority recommended in Senate bill	Rate for operations through Mar. 30, 1971, (H.J. Res. 1421)
(1)	(2)	(3)	(4)	(5)	(6)
TITLE I.—DEPARTMENT OF TRANSPORTATION					
Office of the Secretary:					
Salaries and expenses	\$12,541,000	\$19,510,000	\$17,230,000	\$17,840,000	\$17,535,000
Transportation planning, research, and development	11,000,000	22,090,000	14,500,000	14,500,000	14,500,000
Grants-in-aid for natural gas pipeline safety		1,000,000		1,000,000	500,000
Consolidation of department headquarters	4,520,000	4,845,000	4,845,000	4,845,000	4,845,000
Civil supersonic aircraft development	85,000,000	289,965,000	289,965,000		210,000,000
Total, Office of the Secretary	113,061,000	337,320,000	326,540,000	38,185,000	247,380,000
Coast Guard:					
Operating expenses	415,967,258	426,740,000	423,500,000	423,500,000	423,500,000
Appropriations for debt reduction	131,370	137,063	137,063	137,063	137,063
Subtotal, operating expenses	415,835,888	426,602,937	423,362,937	423,362,937	423,362,937
Acquisition, construction, and improvements	67,700,000	100,000,000	90,000,000	100,000,000	94,000,000
Retired pay	58,750,000	64,530,000	64,530,000	64,530,000	64,530,000
Reserve training	27,350,152	10,000,000	25,900,000	25,900,000	25,900,000
Research, development, test, and evaluation	14,500,000	24,000,000	19,500,000	23,000,000	22,500,000
Oil pollution fund (S. Doc. 91-104)		35,000,000		35,000,000	20,000,000
Total, Coast Guard	584,136,040	660,132,937	623,292,937	671,792,937	650,292,937
Federal Aviation Administration:					
Operations	845,647,000	951,885,000	923,885,000	951,885,000	951,885,000
Facilities and equipment	224,000,000	190,000,000	190,000,000	190,000,000	190,000,000
Research and development	41,280,000	47,500,000	45,000,000	47,500,000	45,000,000
Operation and maintenance, National Capital Airports	10,150,000	10,600,000	10,500,000	10,500,000	10,500,000
Construction, National Capital Airports	1,900,000	11,000,000	4,000,000	4,000,000	4,000,000
Grants-in-aid for airports	50,000,000				
Limitation on obligations		(100,000,000)	(220,000,000)		(250,000,000)
Total, Federal Aviation Administration	1,172,977,000	1,210,985,000	1,173,385,000	1,203,885,000	1,201,385,000
Federal Highway Administration:					
Office of the Administrator, salaries and expenses:					
Appropriation	1,813,183	525,000	500,000	525,000	512,500
Trust fund limitation (transfer)	(13,865,869)	(14,956,000)	(14,721,000)	(14,826,000)	(14,773,500)
Bureau of Public Roads: Limitation on general expenses	(63,369,913)	(77,913,000)	(68,488,000)	(70,433,000)	(69,460,500)
Federal-aid highways (trust fund—appropriations to liquidate contract authorization)	(4,419,279,000)	(4,360,000,000)	(4,350,340,000)	(4,352,390,000)	(4,351,365,000)
Right-of-way revolving fund (trust fund—appropriation to liquidate contract authorization)	(40,000,000)	(35,000,000)	(35,000,000)	(35,000,000)	(35,000,000)
Highway beautification:					
Appropriation	1,100,000	800,000	500,000	500,000	500,000
Appropriation to liquidate contract authorization	(5,000,000)	(20,000,000)	(16,500,000)	(16,500,000)	(16,500,000)
Limitation on obligations	(16,100,000)	(8,552,000)	(5,500,000)		(8,500,000)
Motor carrier safety	2,510,301	4,118,000	3,443,000	3,718,000	3,800,500
Forest highways:					
Appropriation to liquidate contract authorization	(25,000,000)	(20,000,000)	(15,000,000)	(20,000,000)	(17,500,000)
Limitation on obligations	(18,000,000)	(33,000,000)	(22,500,000)	(33,000,000)	(27,750,000)
Public lands highways:					
Appropriation to liquidate contract authorization	(7,000,000)	(15,000,000)	(13,000,000)	(15,000,000)	(14,000,000)
Limitation on obligations	(8,000,000)	(16,000,000)	(10,000,000)	(16,000,000)	(13,000,000)
Chamizal Memorial Highway	4,000,000				
Total Federal Highway Administration	9,423,484	5,443,000	4,443,000	4,743,000	4,593,000
National Highway Safety Bureau:					
Traffic and highway safety:					
Appropriation	30,171,665	53,075,000	40,435,000	47,601,000	42,935,000
By transfer	(2,071,221)	(2,611,000)	(2,611,000)	(2,611,000)	(2,611,000)
State and community highway safety:					
Appropriation to liquidate contract authorization	(30,000,000)	(61,000,000)	(51,000,000)	(51,000,000)	(51,000,000)
Limitation on obligations	(70,000,000)	(80,000,000)	(70,000,000)	(80,000,000)	(75,000,000)
Total, National Highway Safety Bureau	30,171,665	53,075,000	40,435,000	47,601,000	42,935,000
Federal Railroad Administration:					
Office of the Administrator, salaries and expenses	1,135,000	1,600,000	1,395,000	1,395,000	1,395,000
Bureau of Railroad Safety	4,333,000	4,550,000	4,500,000	4,500,000	4,500,000
High-speed ground transportation research and development	11,000,000	21,688,000	(*)	21,688,000	18,000,000
Railroad research	300,000	1,500,000	900,000	1,005,000	950,000
Total, Federal Railroad Administration	16,768,000	29,338,000	6,795,000	28,588,000	24,845,000

See footnotes at end of table.

Agency and item (1)	¹ New budget (obligational) authority fiscal year 1970 (2)	Budget esti- mates of new (obligational) authority fiscal year 1971 (3)	New budget (obligational) authority recommended in House bill (4)	New obliga- tional authority recommended in Senate bill (5)	Rate for opera- tions through Mar. 30, 1971, (H.J. Res. 1421) (6)
TITLE I.—DEPARTMENT OF TRANSPORTATION—Continued					
Urban Mass Transportation Administration:					
Salaries and expenses.....	\$1,600,000	\$4,000,000	\$3,200,000	\$3,450,000	\$3,325,000
Research, development, and demonstration.....				20,000,000	6,000,000
Urban mass transportation fund.....	11 214,000,000	8 (850,000,000)	(214,000,000)		(600,000,000)
Limitation on commitments.....					
Total, Urban Mass Transportation Administration.....	215,600,000	4,000,000	3,200,000	23,450,000	9,325,000
St. Lawrence Seaway Development Corporation: Limitation on administration expenses.....	(652,000)	(700,000)	(700,000)	(700,000)	(700,000)
Total, title I, Department of Transportation.....	2,142,137,189	2,300,293,937	2,178,090,937	2,018,244,937	2,180,755,937
TITLE II.—RELATED AGENCIES					
National Transportation Safety Board: Salaries and expenses.....	5,478,474	6,120,000	6,000,000	6,000,000	6,000,000
Civil Aeronautics Board:					
Salaries and expenses.....	11,395,100	11,134,000	11,134,000	11,134,000	11,134,000
Payments to air carriers.....	33,500,000	27,327,000	27,327,000	58,300,000	50,000,000
Total, Civil Aeronautics Board.....	44,895,100	38,461,000	38,461,000	69,434,000	61,134,000
Interstate Commerce Commission:					
Salaries and expenses.....	27,742,660	25,600,000	27,000,000	27,000,000	27,000,000
Payment of loan guarantees (S. Doc. 95).....		3,313,500		3,216,668	3,216,668
Total, Interstate Commerce Commission.....	27,742,660	28,913,500	27,000,000	30,216,668	30,216,668
Washington Metropolitan Area Transit Authority: Federal contribution.....	126,112,000	12 368,039,000	13 330,028,000	13 330,028,000	330,028,000
Total, title II, related agencies.....	204,228,234	441,533,500	401,489,000	435,678,668	427,378,668
Total, titles I and II, new budget (obligational) authority.....	2,346,365,423	2,741,827,437	2,579,579,937	2,453,923,605	2,608,134,605
Consisting of—					
Appropriations:					
Fiscal year 1970.....	(2,132,365,423)				
Fiscal year 1971.....	(214,000,000)	(2,553,816,437)	(2,429,579,937)	(2,303,923,605)	(2,458,134,605)
Fiscal year 1972.....		(188,011,000)	(150,000,000)	(150,000,000)	(150,000,000)
Memorandums:					
Appropriations to liquidate contract authorizations.....	(4,526,279,000)	(4,511,000,000)	(4,480,840,000)	(4,489,890,000)	(4,485,365,000)
Appropriation for debt reduction.....	(131,370)	(137,063)	(137,063)	(137,063)	(137,063)
Grand total.....	(6,872,775,793)	(7,252,964,500)	(7,060,557,000)	(6,943,950,668)	(7,093,636,668)

¹ Includes Public Law 91-305 2d supplemental, 1970 \$29,585,793 (indefinite appropriations) in title III.

² Reflects decrease of \$610,000 (H. Doc. 91-333).

³ Includes \$595,000 contained in H. Doc. 91-333.

⁴ Includes \$28,000,000 increase (S. Doc. 91-103).

⁵ No limitation proposed. February 1970 budget document indicated an estimated \$220,000,000 obligational level. This estimate was subsequently revised to \$100,000,000.

⁶ Excludes \$2,225,000 considered under "Traffic and highway safety" (H. Doc. 91-333).

⁷ Includes \$289,000 by transfer from "State and community highway safety" (H. Doc. 91-333).

⁸ No limitation proposed.

⁹ Deferred; lacks authorization.

¹⁰ Includes \$2,225,000 transferred from "Office of the Administrator" (H. Doc. 91-333).

¹¹ Advance funding for 1971.

¹² Includes \$188,011,000 advance for 1972.

¹³ Includes \$150,000,000 advance for 1972.

Mr. BIBLE. Mr. President, now, with pleasure, I yield the floor.

ORDER OF BUSINESS

Mr. MURPHY and Mr. GRIFFIN addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from California.

Mr. GRIFFIN. Mr. President, will the Senator yield to me for just a moment?

Mr. MURPHY. I am glad to yield to the Senator from Michigan.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

PETITION TO HANOI FROM 26 MILLION AMERICANS

Mr. GRIFFIN. Mr. President, I know those Senators who are still in the Chamber would like to be apprised of the fact that Joseph McCain, the son of Admiral McCain, and the brother of U.S. Navy Lt. Comdr. John S. McCain III, who was a prisoner of war held in North Vietnam, is on the steps of the Capitol with Lt. Robert Fishman, of La Jolla, Calif., who was released by North Vietnam after being held captive for 683 days.

These two gentlemen have for a year been collecting names on a petition to be

sent to Hanoi. It is very interesting that some 26 million Americans have so far signed the petition.

On many occasions I have expressed my deep concern regarding the plight of Americans being held prisoner of war in Southeast Asia.

These gentlemen are on the steps of the Capitol to afford Members of the Senate the opportunity to add their names to this petition before it is sent to Hanoi.

Mr. President, I ask unanimous consent to have printed in the RECORD the text of the petition which has been signed by 26 million Americans.

There being no objection, the text of the petition was ordered to be printed in the RECORD, as follows:

To the office of the President of the Democratic Republic of Vietnam:

We the American people request that your nation abide by the terms of the 1949 Geneva Convention Relative to the Treatment of Prisoners of War which requires: (1) a list of all prisoners of war; (2) regular inspection of all POW camps by a neutral intermediary; (3) medical care, adequate food and proper treatment for all prisoners; (4) free flow of mail between prisoners and their families; and (5) all other rights and privileges under the Geneva Convention for all prisoners.

RESIGNATION OF SENATOR MURPHY

Mr. MURPHY. Mr. President, the final legislation of this session has been disposed of, and this is the final session of the Senate at which I shall be honored to serve. It has been a long and difficult session in which many issues and reports have been before us for consideration. It has been complicated by political and parliamentary procedures never before experienced, I am told.

In simpler times, Congress would have been in recess and many of the retiring officeholders would by now have tendered their resignations so that their successors could begin their service.

However, in this session—the first "lame duck" Congress in decades—many issues of overriding importance have remained to be resolved by the incumbent Senators.

Because I determined that I must, in good conscience, vote on those issues, I have chosen to remain as senior Senator from California until all those pending legislative issues were resolved.

Now, at last, the final vote of this session has been taken and the 91st Congress is drawing to a close.

Therefore, because the best interests of the State of California remain pre-

dominant in my thoughts, I have decided to resign immediately in order to allow my good friend, Gov. Ronald Reagan of California, the opportunity to appoint my successor to serve the remaining days of my term. I have so notified the Governor.

I wish my successor, Mr. TUNNEY, the very best in his new duties and I hope that both he and Senator CRANSTON will call on me whenever they feel that I can be of help. When I agree with their senatorial performances, I shall applaud them happily, and, when I feel they are in error, I shall not hesitate to dispute and even be critical. For even though my service in the Senate is now at an end, my commitment to serve the best interests of our great State in every way I can and with all the energies I have continues.

Mr. President, I know that farewells are best when briefly said, but I could not leave this gracious and historic Chamber without taking the opportunity to bid a fond farewell to my colleagues in the Senate. I trust I will always be able to call those with whom I have served my friends.

There are few things dearer than the comradeship of those with whom we have braved the battle and stood the public test. Even with those Senators who have stood on the opposite side of the great issues confronting us, I bid them goodby with the fondness and respect due worthy adversaries. Though our disagreements at times have been sharp, I know I share with them the deeper bond of seeking the best course for America and for all her people.

In retiring from the ranks of active Senators, Mr. President, I do not intend to cease from activity. We will, I hope, be seeing a good deal of each other.

It is my most sincere hope that all of us may in the future continue to work together for the peace, prosperity, and progress of our beloved country.

Mr. CRANSTON. Mr. President, will the Senator yield?

Mr. MURPHY. I yield.

Mr. CRANSTON. On behalf of all the people of California, Democrats, Republicans, and Independents, because it will serve the interest of all of them, I thank the senior Senator from California for the gracious deed that he has just now performed.

I also want to say to the senior Senator from California (Mr. MURPHY), hail but not farewell. I know we will be seeing a lot of each other; and that the Nation and our State will see a lot of you in the days and years ahead. I look forward to continuing the friendly cooperation that you and I have maintained over such a long time. The Senate will miss GEORGE MURPHY, but not the Nation, because GEORGE MURPHY will continue to be an important part of the Nation.

Mr. MURPHY. I thank my distinguished colleague.

Mr. President, I ask unanimous consent that my resignation be shown as having taken place at 30 minutes after 1 on January 2. The appointment of my successor is at the desk, having been authorized and sent by the Governor of the State of California. And, believing that

all things are now in order, I yield the floor.

Mr. MANSFIELD. Mr. President, would the Senator mind remaining an active Member of the Senate for an additional 7 or 8 minutes?

Mr. MURPHY. I would be most pleased to remain an active Member of the Senate for that time.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRIFFIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CIGARETTE ADVERTISING

Mr. MOSS. Mr. President, I did not hold out until midnight last night to see the cigarette commercials end. I had an inclination so to do, but four football bowl games and endless cigarette commercials later and my resolve was gone.

There should have been joy in watching the end of a shameful and tragic era when nearly a quarter of a billion dollars a year was spent to induce, cajole, and persuade Americans to court death and disablement from lung cancer, emphysema, and coronary disease through the smoking of cigarettes. But instead of being certain that we are rid of cigarette advertising we may only be seeing a change of media and artful dodging of the intent of the law: that cigarette advertising disappear from television and radio.

Well, Congress, the Federal Trade Commission, the Public Health Service, the American Cancer Society, the Heart Association, the Tuberculosis and Respiratory Diseases Association, the American Medical Association, and all others who have real concern for the health of Americans—who would spare thousands and hundreds of thousands from ill health, loss of work, loss of income, hospitalization, and death—must continue their vigilance and their educational warnings against tobacco.

I ask unanimous consent that an article appearing in the Washington Post on New Year's Day be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE SMOKE CLEARS AT MIDNIGHT, AN ERA ENDS

(By Phil Casey)

(NOTE.—As of midnight tonight, all TV and radio commercials for cigarettes are banned by federal law, since tobacco has been alleged hazardous to health and because of the apparent statistical relationship between smoking and high death rates from lung cancer, heart disease and emphysema.)

(The chances are, though, that the tobacco men won't let up on us. It's expected they'll divert much of the money spent on TV and radio advertising (about \$225 million a year) to newspapers, magazines and billboards.)

(And there'll still be slogans, though not on the air. They've been around for more

than 50 years, helping us to smoke up a storm, and they've done well for the tobacco men. This year, for instance, we smoked about 540 billion cigarettes, an increase of about 11 billion over last year. The slogans have sold us by emphasizing sex, beauty, health, pleasure, humor and, sometimes, taste.)

Oh, there was that great and wrong Old Gold slogan, back in the dear, dead past: "Not a Cough in a Carload," and there was that midget in the bellhop uniform who ran around screaming "Call for Philip Morris."

Those were the days.

The Old Gold slogan is revealing. Even way back then, in the 1920s and 1930s, we were worried about what cigarettes might be doing to us, and Old Gold was out to reassure us. It was said in those days that cigarettes would stunt your growth, but small boys persevered anyway.

Tomorrow, it'll be a different world for us. No longer will all those apparently virile and handsome males and beautiful girls be on our TV screens exuding sex and smoke, and those slogans won't be pounding at us on TV and radio.

And, oh, those slogans, then, and now. They're a part of us.

There was "I'd Walk a Mile for a Camel" and then, of course, there was Lucky Strike, very big on slogans.

Like "Reach for a Lucky Instead of a Sweet," "L.S.M.F.T. (Lucky Strike Means Fine Tobacco)." And when the company changed its package color in World War II and gave up its green ink, it proclaimed, "Lucky Strike Green Has Gone to War."

Later, comedian Fred Allen observed that "Lucky Strike Green went to war and never came back."

Those were relatively innocent days in cigarette advertising. When TV came along, things got sexier. The virile Marlboro man in the cowboy hat, the alluring women puffing away on all brands, but mostly filter cigarettes.

There were women saying "Blow some my way," and the Silva Thins commercials, which featured a man who preferred cigarettes to women and was forever deserting girls for a smoke. "Cigarettes are like girls," a voice would say, "The best ones are thin and rich."

Virginia Slims had that old-fashioned woman caught smoking in the cellar by her husband and sent to her room, and then that modern girl who smoked with abandon. And that women's lib jingle: "You've come a long way, baby."

And who will ever forget that perhaps most irritating of all commercial slogans: "Winstons taste good, like a cigarette should."

We may be in for culture shock without those jingles. For years we've been going around humming them unconsciously, and we may miss all that banality.

In Thomas Whiteside's recent New Yorker magazine piece, "Annals of Advertising," he quotes Mary Wells Lawrence, head of Wells, Rich, Greene, which handled the campaign for Benson & Hedges 100s. This was the ad showing men getting their long cigarettes stuck in elevator doors or burning holes in newspapers. The episodes were funny and brief.

Mrs. Lawrence told Whiteside how she thought of her ad campaign: the new, longer cigarette was "an elegant, classy product, tied in with affluence, appealing to mass buyers between 20 and 40 who are slightly higher in education than most, and more sophisticated—people who've seen their supermarkets turn into the Folies-Bergeres, people who are used to being entertained, people who are winner-oriented."

She must have known what she was doing, for Whiteside notes that sales of the 100s rose from 1.6 billion cigarettes in 1966 to 14.4 billion in 1970.

The TV and radio cigarette commercials constantly appealed to people's desire to be cool, urbane, clever, sexy, young and "in." They tried to make smoking seem the thing to do. And they succeeded.

Cigarette consumption jumped when TV came along, although it had been increasing steadily since 1880, when cigarette-making machinery was introduced.

In 1880, one billion cigarettes were produced for a population of about 50 million. In 1970, cigarette production was 500 times greater for a population that was only four times greater. In other words, only four times as many people were smoking more than 125 times more cigarettes.

And how it all happened isn't clear. It can't all be blamed on television and radio, for we were smoking wildly in the 1920s, when only newspapers, magazines and billboards were urging us to smoke. There seems no doubt that TV and radio gave us more inspiration to smoke, but our cigarette consumption doubled between 1920 and 1930 and doubled again by the late 1940s, before TV got a chance to spur us on.

We're smoking at an all-time high now and it is assumed that the tobacco men will try to keep us turned on. They are expected to sponsor sporting events in which the names of their products will appear on TV and radio. These could include auto races, bowling tournaments, golf and tennis matches, and possibly football, baseball and other events.

But, the hope of the anti-smoking groups is that the death of TV and radio commercials will reduce the number of young people who take up smoking and make it easier for smokers to quit and avoid all those diseases. The tobacco men, still contending their products has not been proved harmful, cite increased cigarette consumption in England, Italy and other countries where cigarette commercials also are banned.

We'll probably be seeing far fewer anti-smoking commercials, since the TV and radio stations will no longer have to carry them, but all three networks and many stations say they plan to continue carrying some of these.

And there's this: two court actions could change the situation. In one, owners of six radio stations have asked a federal court to declare the law banning cigarette commercials unconstitutional.

The other, filed by the cigarette industry, claims that the same "fairness doctrine" that brought antismoking messages should, in the absence of cigarette commercials, require pro-smoking messages to answer the anti-smoking messages. The Federal Communications Commission disagreed, but the industry has appealed to a federal court.

What did TV do to us, and what was the appeal of the TV commercials that hammered at us? What sort of culture did they reflect?

Richard J. Lord, a New York advertising man who used to work on cigarette accounts, says the key media word is "association." The commercials emphasized "pretty girls, scenery, masculinity," appealing to everyone, and they wanted to be "with it."

"When I started, back around 1956, the market was the 18- to 35-year-olds," he said, "and you didn't see many people over 25 in the TV commercials. Then the market shifted. The cigarette companies decided they didn't want to show people too young smoking. So after that you didn't see many people under 25 in the commercials."

"You always have girls," he said. "The only one I can think of offhand that did without them was Marlboro, with their Marlboro man," aimed specifically at the masculine audience.

Lord, who is president of Lord, Geller, Federico and Partners, gave up selling cigarettes long ago and has done TV commercials at cost for the American Cancer Society. But while he was on cigarettes, he did such slo-

gans as "Kent is the Answer" and a "Hint of Mint" for Newport cigarettes.

The William Esty Co., Inc., known as "the cigarette agency" in the advertising world had the accounts for Winston, Salem and Doral. An official there said he couldn't talk about the accounts because the R. J. Reynolds Tobacco Company had asked that all calls be referred to the company's public relations department.

But Lord can talk, and does. He sees, as we all do, that TV commercials encouraged smoking by making it look like the thing to do. Children grew up wanting to become old enough to smoke.

"What was the motivation for a 10-year-old to want to smoke?" he asked. "It was to have pleasure, to be in and be with it."

The cigarette admen hit us from all sides, even way back when it all began.

Camel outdid even Old Gold on the health kick. In 1921, a billboard near the newsstand at 43d street and Broadway showed a handsome man in a tuxedo and flanked by a beautiful woman, and the sign proclaimed:

"For Digestion's Sake Smoke Camels."

After World War II, and not long before the Surgeon General's report on the effects of tobacco smoke on tissues from lips to lungs, Camel advised us, for our health and comfort's sake, to smoke its product for the benefit of our "T-Zone." Advertisements showed "T's" superimposed on smokers' portraits, from lips down to lungs.

LAND-GRANT COLLEGE STATUS FOR THE COLLEGE OF THE VIRGIN ISLANDS AND THE UNIVERSITY OF GUAM

Mr. MOSS. Mr. President, I ask unanimous consent to print in the RECORD at this point a proposed amendment to the International Coffee Agreement which was approved on Thursday.

There being no objection, the amendment was ordered to be printed in the RECORD, as follows:

H.R. 19567

At the end of the bill add the following:

SEC. 3. The College of the Virgin Islands and the University of Guam shall after the effective date of this Act be considered land-grant colleges established for the benefit of agriculture and mechanic arts in accordance with the provisions of the Act of July 2, 1862, as amended (12 Stat. 503; 7 U.S.C. 301-305, 307, 308).

SEC. 4. In lieu of extending to the Virgin Islands and Guam those provisions of the Act of July 2, 1862, as amended, supra, relating to donations of public land or land scrip for the endowment and maintenance of colleges for the benefit of agriculture and the mechanic arts, there is authorized to be appropriated to the Virgin Islands the sum of \$714,000 and to Guam the sum of \$1,019,000. Amounts appropriated under this section shall be held and considered to have been granted to the Virgin Islands and Guam subject to the provisions of that Act applicable to the proceeds from the sale of land or land scrip.

SEC. 5. The Act of August 30, 1890, as amended, and the related portion of the Act of March 4, 1907 (26 Stat. 417; 34 Stat. 1281, 1282; 7 U.S.C. 322-326) are further amended—

(1) by striking the words "and Territory" wherever they appear and substituting in lieu thereof the words "Puerto Rico, the Virgin Islands, and Guam";

(2) by striking the words "and Territories" wherever they appear and substituting in lieu thereof the words "Puerto Rico, the Virgin Islands, and Guam";

(3) by striking the words "or Territory" wherever they appear and substituting in

lieu thereof the words "Puerto Rico, the Virgin Islands, or Guam";

(4) by striking the words "or Territories" wherever they appear and substituting in lieu thereof the words "Puerto Rico, the Virgin Islands, or Guam"; and

(5) by striking the words "or Territorial" where they appear.

SEC. 5. Section 22 of the Act of June 29, 1935, as amended (49 Stat. 439; 7 U.S.C. 329), is further amended—

(1) by striking the words "and Puerto Rico" wherever they appear and substituting in lieu thereof the words "Puerto Rico, the Virgin Islands, and Guam";

(2) by striking the figure "\$7,800,000" and substituting in lieu thereof the figure "\$8,100,000"; and

(3) by striking the figure "\$4,320,000" and substituting in lieu thereof the figure "\$4,324,000".

SEC. 6. The Act of March 4, 1940 (54 Stat. 39; 7 U.S.C. 331), is amended—

(1) by striking the words "and Territories" wherever they appear and substituting in lieu thereof the words "Puerto Rico, the Virgin Islands, and Guam";

(2) by striking the words "or Territories" wherever they appear and substituting in lieu thereof the words "Puerto Rico, the Virgin Islands, or Guam"; and

(3) by striking the word "State" wherever it appears in the third proviso of that Act and substituting in lieu thereof the words "State, Puerto Rico, the Virgin Islands, or Guam".

SEC. 6. Section 207 of the Agricultural Marketing Act of 1946 (60 Stat. 1091; 7 U.S.C. 1626), is amended by striking the period at the end of the section and adding the following words: "and the term 'State' when used in this title shall include the Virgin Islands and Guam."

SEC. 7. Section 3 of the Act of May 8, 1914, as amended (38 Stat. 373; 7 U.S.C. 343), is further amended by redesignating subsection (b) as paragraph (1) of subsection (b) and adding new paragraphs (2) and (3) to subsection (b) to read as follows:

"(2) There is authorized to be appropriated out of money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1971, and for each fiscal year thereafter, for payment to the Virgin Islands and Guam, \$100,000 each, which sums shall be in addition to the sums appropriated for the several States of the United States and Puerto Rico under the provisions of this section. The amount paid by the Federal Government to the Virgin Islands and Guam pursuant to this paragraph shall not exceed during any fiscal year, except the fiscal years ending June 30, 1971, and June 30, 1972, when such amount may be used to pay the total cost of providing services pursuant to this Act, the amount available and budgeted for expenditure by the Virgin Islands and Guam for the purposes of this Act.

"(3) Four per centum of the sums appropriated under paragraph (2) for each fiscal year shall be allotted to the Federal Extension Service for administrative, technical, and other services provided by the Service in carrying out the purposes of this section."

SEC. 2. Section 10 of the Act of May 8, 1914, as amended (supra), as added by the Act of October 5, 1962 (76 Stat. 745; 7 U.S.C. 349), is amended by striking the words "and Puerto Rico" and inserting in lieu thereof the words "Puerto Rico, the Virgin Islands, and Guam".

SEC. 9. Section 4 of the Act of October 10, 1962 (76 Stat. 806; 16 U.S.C. 582a-3), is amended by striking the period at the end of the first sentence thereof and adding the following language: "except that for the fiscal years ending June 30, 1971, and June 30, 1972, the matching funds requirement hereof shall not be applicable to the Virgin Islands and Guam, and sums authorized for

such years for the Virgin Islands and Guam may be used to pay the total cost of programs for forestry research."

Sec. 10. Section 8 of the Act of October 10, 1962 (76 Stat. 807; 16 U.S.C. 582a-7), is amended by striking the period at the end thereof and adding the words ", the Virgin Islands and Guam."

Sec. 11. Section 1 of the Act of March 2, 1887, as amended (7 U.S.C. 361a-361i), is amended by striking the period after the second sentence and adding a comma and the words, "Guam and the Virgin Islands," and deleting "and" between the words "Hawaii and Puerto Rico."

Sec. 12. Section 3 of the Act of March 2, 1887, as amended (7 U.S.C. 361a-361i), is amended by redesignating subsection (b) as paragraph (1) of subsection (b) and adding new paragraphs (2) and (3) to subsection (b) to read as follows:

"(2) There is authorized to be appropriated out of money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1971, and for each fiscal year thereafter, for payment to the Virgin Islands and Guam, \$100,000 each, which sums shall be in addition to the sums appropriated for the several States of the United States and Puerto Rico under the provisions of this section. The amount paid by the Federal Government to the Virgin Islands and Guam pursuant to this paragraph shall not exceed during any fiscal year, except the fiscal years ending June 30, 1971, and June 30, 1972, when such amount may be used to pay the total cost of providing services pursuant to this Act, the amount available and budgeted for expenditure by the Virgin Islands and Guam for the purposes of this Act.

"(3) Three per centum of the sums appropriated under paragraph (2) for each fiscal year shall be allotted to the Secretary of Agriculture for administrative, technical and other services provided by the Service in carrying out the purposes of this section."

Sec. 13. With respect to the Virgin Islands and Guam, the enactment of this Act shall be deemed to satisfy any requirement of State consent contained in laws or provisions of law referred to in this Act.

Amend the title so as to read: "An Act to continue until the close of June 30, 1971, the International Coffee Agreement Act of 1968, and to constitute the College of the Virgin Islands and the University of Guam land-grant colleges, and for other purposes."

Mr. MOSS. Mr. President, Although I had the amendment at my desk. I did not offer it. To do so would have been futile and would have served no purpose but to dramatize my outrage and frustration by causing the termination of the Coffee Agreement. It could have caused further disruption and failure, but I would not have accomplished the positive good which my amendment represents.

Mr. President, the only areas under the American flag which have schools of higher learning and do not participate in our land-grant college program are the Virgin Islands and Guam.

Early in this Congress the Interior Committee and the Agriculture Committee of the Senate unanimously reported my bill to include the College of Virgin Islands and the University of Guam in the land grant college system which obtains in every State and the District of Columbia. The Senate unanimously passed the bill.

In the House the bill was assigned to the Committee on Agriculture where a subcommittee by a 2 to 2 tie vote refused to report the bill.

Consequently, I offered the bill as an amendment to a House passed bill from Agriculture. The amendment and the House Bill passed the Senate unanimously. But again the Committee on Agriculture intercepted the measure, refused to even consider the amendment and let its own bill die rather than vote on the school bill for the Virgin Islands or Guam.

Rather than kill the Coffee Agreement as well, I have to let the matter die.

This is a matter of public education, a matter of territorial administration, a matter of fair treatment and equity. I shall reintroduce my bill this year.

THE 91ST CONGRESS

Mr. MOSS. Mr. President, we are in our last day of the 91st Congress. It is a time to view our accomplishments, which have been considerable, and to consider our shortcomings which have been many and painful.

Here we are, meeting in 1971 in a Congress which began in January 1970. Surely this is a shameful record. Today we adopt a stopgap continuing resolution on an appropriation for a great Federal Department, and already we are in the last half of the fiscal year for which the appropriation is needed.

Unless we can improve and modernize our rules of procedure and unless we Members of Congress can direct our efforts to the common good in a spirit of cooperation which involves some degree of compromise, our system will die in the frozen web of inaction, delay and futility.

For some reason we shower recognition on those in the minority who strive to stamp their will on the majority. Of course, we expect spirited, hard driving debate. No Senator would be worth his salt if he did not put up a fight for his point of view. And no worthy colleague challenges his motives or good faith. But I say, also, that no Senator is worth his salt when he insists that the majority bow to his will or, like Sampson of old, he will pull down the pillars of the temple and crush us all in the debris.

A citizen who seeks election to a legislative body does so knowing—for surely he must know—that he cannot have his way on every single issue that comes before that body. And he that seeks to stamp his minority view through the use of delay or disruption does a disservice to the parliamentary system. How critical we are of dictatorships and juntas, yet we see similar minority domination practiced in what we are wont to call "the greatest deliberative body in the world." How can we deliberate when we are prevented from reaching a conclusion? "Decide the issue my way or I shall prevent the reaching of a conclusion" is the motto.

So today I feel great disenchantment with the 91st Congress. I'm not sorry to see it end. With all my heart I hope that we can do better—much better—in meeting our Nation's needs and requirements in the 92d Congress. And to do better, we must have better rules of procedure.

Mr. President, I yield the floor.

APPOINTMENT OF FRANK CARLUCCI AS DIRECTOR OF THE OFFICE OF ECONOMIC OPPORTUNITY

Mr. GRIFFIN. Mr. President, the day before yesterday I had a colloquy with the distinguished junior Senator from California (Mr. CRANSTON) concerning the nomination of Mr. Frank Carlucci. At that time, Senator CRANSTON indicated publicly a certain proposal. Because of the indirect nature of the communication, Mr. Carlucci has replied with a letter to me, and I have furnished a copy of the letter to the Senator from California.

I ask unanimous consent that the letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

OFFICE OF ECONOMIC OPPORTUNITY,
Washington, D.C., January 2, 1971.

Hon. ROBERT P. GRIFFIN,
U.S. Senate,
Washington, D.C.

DEAR SENATOR GRIFFIN: I am advised that late Thursday evening Senator Cranston indicated that he will remove his objection to my nomination as Director of the Office of Economic Opportunity providing I agree to a specific procedure for deciding the issue.

In response to your request for my comments on Senator Cranston's proposal as to how the Office of Economic Opportunity should proceed in the matter of the California Rural Legal Assistance Program, I am pleased to give you my best judgment.

Regrettably, I do not find myself in a position to accept such an arrangement. In this connection, I am enclosing a copy of a statement which I issued December 31, prior to this latest proposal suggested by Senator Cranston.

While the Senator may feel his proposal is reasonable, the issue is whether a nominee for the Directorship of the Office of Economic Opportunity can or should make an arrangement, even procedural, which could be seen—and in view of the extensive press coverage of his previous positions, would unquestionably be seen—as an exchange for a confirmation. I am advised by my General Counsel that such an arrangement, whether public or private, might make my subsequent decision subject to question, legally, ethically and certainly in the eyes of the public.

The Governor of California has now approved the 30-day grant to CRLA. The representative of the Governor's office is coming to Washington on January 6 to present the evidence to support the Governor's charges against the program. CRLA officials have held lengthy discussions with the Acting Director of Legal Services and will be given additional opportunity to respond to the charges.

I can assure you that, irrespective of what action may be taken on my confirmation, the decision on CRLA will be based on a careful evaluation of the evidence and on a judgment of what is in the best interest of the poor.

I appreciate your support of the Legal Services Program and your interest in this matter.

Sincerely yours,

FRANK CARLUCCI,
Acting Director.

Mr. GRIFFIN. I also ask unanimous consent to have printed in the RECORD a UPI report of the colloquy referred to.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

UPI ACCOUNT

WASHINGTON.—Acting antipoverty Director Frank Carlucci said today he will not

bow to "pressure" to override Gov. Ronald Reagan's veto of a \$1.8 million legal services grant to remove objections to his appointment by Sen. Alan Cranston, D-Calif.

Carlucci, appointed director of the Office of Economic Opportunity to replace Presidential Counselor Donald Rumsfeld, appeared before the Senate Labor Committee Wednesday.

Cranston, a member of the committee demanded Carlucci use his authority as acting OEO chief before he is confirmed to overrule the California Republican Governor's objections to a 1971 fund grant for the controversial California rural legal assistance agency.

Carlucci said he intended to investigate Reagan's charges the California program violated OEO regulations and failed to serve the poor. He ordered a \$139,880 temporary grant for the program for 30 days while he considers the veto.

In a statement issued from OEO headquarters today Carlucci said it "appears that the confirmation of a new director for OEO during this session of Congress depends upon my making judgments on a Governor's veto of one program in his State without having the opportunity to review the evidence."

"I would not be the kind of director the poor deserve to act as their spokesman if I were to start off by yielding to this kind of pressure in order to facilitate by confirmation," Carlucci said.

"I intend to bring the strongest possible leadership to this agency, but I will not act in an arbitrary manner or in a manner inconsistent with the (economic opportunity) act."

Cranston was accused today of trying to force Carlucci to take "illegal" action to win confirmation.

The charge was made on the Senate floor by Senator Robert P. Griffin, R-Mich., who urged Cranston to let the Senate vote on Carlucci's nomination.

Griffin said it would be a violation of Federal law for Carlucci to accede to Cranston's demand.

Griffin rejected Cranston's contention that he had merely asked that Carlucci take some action on the issue—and not that he override the Governor's veto.

"I have at no time asked Mr. Carlucci for any commitment as to what he would do," Cranston said on the Senate floor in response to Griffin's charges.

"I think the message was quite clear to Mr. Carlucci that if he were willing to give an indication as to what decision he would make and would override the veto, he would be confirmed for this post," Griffin replied. "I think that's quite obvious."

The Michigan Republican said Carlucci was placed into "an intolerable" position by Cranston because it was a clear violation of the Federal law to make any advance promise as a condition for getting any Federal office.

"I wish the junior Senator from California had not got up on the Senate floor and taken the position publicly that he has taken," Griffin said.

The Michigan Republican's attack on Cranston came after the question of Carlucci's nomination was brought up by Senator George Murphy, R-Calif., who is serving his last days in Congress.

Murphy said "my good friend and colleague, Mr. Cranston" was blocking Carlucci's nomination even though the 40-year-old Foreign Service officer had "an exemplary" record.

Murphy defended Reagan's veto of the fund for the California Rural Legal Assistant (CRLA) program, saying the Governor had good reasons to do so and that the action was not politically motivated. He said CRLA lawyers had diverted funds intended to provide legal aid to poor families and individuals to "legal reform" programs.

Sens. Edward M. Kennedy, D-Mass., and Walter F. Mondale, D-Minn., came to Cranston's defense, contending that Carlucci had not been "responsive" to their questioning even though he had been told well in advance that he would be asked about Reagan's veto.

In addition to Griffin, Sens. Jacob K. Javits, R-N.Y., and Marlow W. Cook, R-Ky., attacked Cranston's stand and urged him to let Carlucci be confirmed before Congress adjourns.

Javits said it would be "extremely deplorable and regrettable" if the OEO were left without a Director until the next Congress convenes.

Except for Murphy, no one rose to defend Reagan's veto. Even Griffin said he hoped Carlucci would override the veto.

Griffin, noting that he sat on confirmation hearings of judges as a member of the Senate Judiciary Committee, said there were many questions that could be asked a nominee. He said there also were "legitimate pressures" that a Senator could apply to gain his ends.

"But this is not a legitimate pressure," he told Cranston. "This puts him in the position of having to violate the law if he is going to be confirmed in this session."

Cranston said at one point that negotiations for a compromise were underway and that he hoped something could be "worked out."

Carlucci said earlier that he would not bow to "pressure" by Cranston and also announced that he would make a 30-day grant to keep the program going pending a decision of the veto.

ORDER OF BUSINESS

Mr. GRIFFIN. Mr. President I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

WELFARE REFORM

Mr. LONG. Mr. President, I believe that this year will be the year of welfare reform. I say that as one who struggled for 1 long year with "Moynihan's monstrosity."

Proper welfare reform, Mr. President, would mean that we would begin by taking off the welfare rolls people who have no business being on welfare.

I noticed by the press of yesterday that the number of welfare recipients in Washington, D.C., increased by more than 60 percent this last year. Can you imagine that, Mr. President? An increase of more than 60 percent in the city with the highest per capita income in the entire United States. There is a group of restaurants here which make some nice hamburgers. As you drive toward one of them, you can see a "Help Wanted" sign on it for a mile down the road before you get there. But notwithstanding that, and notwithstanding the fact that we have the highest per capita income in the world in this city, the number of welfare recipients in Washington increased 61 percent last year.

Mr. President, I will make President Nixon a sporting proposition, if he will

put the FBI to work on it. I will buy him the finest meal he ever ate in his life if he can show me that that whole 61 percent, or the majority of them, are not drawing at least two, and that 10 percent of them are not drawing at least 10 welfare checks, many of them at the same address. I am not saying by the same name, but I think it is fair to say that some of them are even using the same name.

One could ask, "Why do we do things so absolutely and utterly stupidly?" The only response to that I can think of, Mr. President, is that the road to hell is paved with good intentions. When Lyndon Johnson was President, trying to do the most any President ever did legislatively to help people, he asked that every department send up every idea that anybody could generate—not pass judgment on them, just send them up and let the President pass judgment on whether they appeared to be a good idea. We enacted most of that stuff, and called it a poverty program.

One of the things we did, for example, was to pay a bunch of OEO lawyers to sue the States to make those States put on the welfare rolls people who had no right whatever to be there.

Just the other day, a lady walked into the welfare office in my hometown of Baton Rouge. On her way out of the office, after she had been certified to go on welfare, a little caseworker who passed her on the way out said:

I am surprised that Susan Jones did not come to see me; I thought I was taking care of her.

The other caseworker who had certified her said:

Her name is not Susan Jones; her name is Rachel Smith.

So they went to the address of the recipient, and they found out that right to that same address they were already mailing four welfare checks, and getting ready to mail the fifth one.

As a deathbed request, our good friend Wilbur Cohen told the States they had to test our putting people on welfare based only on their own certification of need, without the first word of inquiry as to whether they were qualified, deserving, or anything else.

The States did not want to do that. Some of them are even in violation of that Federal mandate, and still trying to investigate their cases to see that they are not paying their money out to people who do not belong there; but some of them have chosen to go along with all this.

Every one of the mistakes of the present welfare mess would have been "grandfathered in" had we passed Moynihan's monstrosity last year. My only regret for the last year is that I cooperated with the scheme to the extent I did. I applaud the distinguished senior Senator from Delaware for opposing it.

I made my views clear to the President in a meeting earlier this week. So far as I am concerned, if they send that back to us again next year, I am going to fight it as hard as I know how.

So far as the family assistance plan, the FAP, is concerned, I think we ought

to call it the FLAP. It would more appropriately be called the "FLOP." But it should not be passed.

We should have welfare reform. We should let every person who has any claim at all to the generosity of the Federal Government be on the welfare rolls once, not five times, not 10 times. Once. It would make better sense, than the program they sent us, to put just about everybody in America on the welfare rolls one time.

So, Mr. President, I want to assure the Senate that I will do everything in my power to pass a program that makes commonsense, but not to pass something that, in my judgment, could utterly and completely destroy this country.

There has been some talk about the House's refusal to go to conference on the social security bill that passed the Senate by a vote of 81 to 0. Let us say for the record why the House would not talk to us, and I am here the day after New Year's to explain this to the Senate. The House's failure to meet with us has been excused on the grounds that the Senate bill has complicated amendments. But all the talk about complications in that bill is ridiculous. All one need talk about is whether we are going to pay the 5- or 10-percent increase—or something in between—to the fine old people. The rest of the Senate amendments could be quickly disposed of in conference, either by being accepted or dropped. But the real reason we are not conferring on that bill is because the President wants the chairman of the Ways and Means Committee to push the FLOP back through the House again, and they do not think they can pass it in the House unless 26 million social security beneficiaries are held hostage.

The 26 million people who desperately need a cost-of-living increase in their social security checks and the 3 million needy aged, blind, and disabled people whose welfare payments would be increased are to be denied their increases because the President is going to try to use them as hostages to send the FLOP back to us. If we pass that FLOP, we will not be deserving of sitting in the Senate, and we will be unworthy of our oaths, when we say we are going to uphold the Constitution and the laws of this country, because this kind of proposal, which encourages people to stay home and produce illegitimate children rather than go to work, is not approved by the people of this country. The more they hear about it, the more they resent it. My mail is 10 to 1 against it.

The people who live among welfare recipients who are on the welfare rolls one, three, five, or even 10 times, under false and fraudulent names, know about this. They bitterly resent paying taxes to finance that kind of program.

I think that the welfare program will be reformed, and I think we will reform it next year. We would not have reformed it if we had passed the FLOP, I can assure the Senate. But I think that next year we can insist that every poor person be accepted, that his income be supplemented, that he be subsidized if need be, but that we will not encourage and subsidize crime, corruption, stealing,

falsehoods, and the other kinds of things that happen.

I regret to say that the poverty lawyers are absolutely ridiculous. For example, one case they won held that a mother need not be required to say who she thought the father of her child was when she applied for the welfare money even though the Federal law requires the State to seek to establish paternity of illegitimate children. For all we know, the father might be a millionaire. He might be the president of the largest bank in America. Notwithstanding that, the court requires that we put the woman on welfare to support the child, even though the child may be amply cared for to begin with. That was one of the cases the poverty lawyers won.

Another case they won held that the welfare caseworker cannot go inside the house to see whether the people live there. A young lawyer erected a monument to himself by winning the case. Suppose a lady comes up and says she has 50 children, and the worker says, "Gee, that's a lot of children for one person."

She says, "I work hard at it."

Then you want to see whether 50 children actually live at the house, so you want to go around and see if 50 children are there. For all you know, there may not be any children. If the welfare worker showed up to ask the first simple question, they could insult the caseworker and turn him away if he tried to ask the question as to whether any child actually is in that home. That is another great decision won by the poverty program.

They won another one. Even though the law clearly stipulated that every State could have some kind of duration residency requirement so that it would not have to put all these people on welfare the minute they enter the State, another great landmark decision skirted the law completely and concluded that the States had to do exactly what the Federal law says they do not have to do. That is one more thing that should be corrected in this mess.

Mr. President, if we would insist that needy people be put on the rolls only once, only one time, and in one State or one city, think how much better we could do for those who really need it than we do by spending all this money, subsidizing States for paying welfare to people who should not be entitled to it.

So I would just say, Mr. President, that the welfare program is a mess; it must be reformed. I hope that we will reform it. My only regret is that this year we did not have the first, single word of help from the administration in trying to do the obviously simple thing that should be a part of welfare reform, and that is to quit spending such fabulous amounts of money, paying out billions of dollars to people who have no right whatever to be drawing that money. Instead, the money should be paid to those deserving, needy people who have every right to be and who, indeed, should be the beneficiaries of the Federal Government's largesse.

The Senator from West Virginia (Mr. BYRD) studied this matter some years ago. He found right here in the District of Columbia situations similar to those

about which I am talking. I see him nod. He knows that to be correct. He was the object of scorn and calumny for some time, but he prevailed over a period of time in trying to do something about it.

I hope that next year we will succeed not only in doing a lot better for those who are deserving of the Federal Government's assistance, but also doing a lot less for those who have no right whatever to make these demands upon us.

SENATOR FROM CALIFORNIA

Mr. MANSFIELD. Mr. President, I present the certificate of appointment of the Honorable JOHN V. TUNNEY as a Senator from the State of California.

The PRESIDING OFFICER. First, the clerk will read a letter from the former Senator from California.

The legislative clerk read as follows:

JANUARY 2, 1971.

THE VICE PRESIDENT,
Executive Office Building,
Washington, D.C.

DEAR MR. VICE PRESIDENT: I herewith submit to you my resignation as a member of the United States Senate effective as of 1:31 p.m. today.

Sincerely,

GEORGE MURPHY.

The PRESIDING OFFICER (Mr. STEVENSON). The certificate of appointment will be read.

The legislative clerk read as follows:

TO THE PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that, pursuant to the power vested in me by the Constitution of the United States and the laws of the State of California, I, Ronald Reagan, the governor of said State, do hereby appoint John V. Tunney a Senator from said State to represent said State in the Senate of the United States until the vacancy therein, caused by the resignation of George Murphy, is filled by election as provided by law.

In Witness Whereof, I have set my hand and caused the Great Seal of the State of California to be affixed hereto this 2nd day of January, 1971.

[SEAL]

RONALD REAGAN,
Governor of California.

Attest:

H. P. SULLIVAN,
Secretary of State.

The PRESIDING OFFICER. If the Senator-designate will present himself at the desk, the oath of office will be administered to him.

Mr. TUNNEY of California, escorted by Mr. CRANSTON, advanced to the desk of the Vice President; the oath prescribed by law was administered to him by the Presiding Officer (Mr. STEVENSON); and he subscribed to the oath in the official oath book.

[Applause, Senators rising.]

BILLS INTRODUCED

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. GRIFFIN:

S. 4614. A bill to provide for the establishment of a Council to be known as the National Advisory Council on Migratory Labor; to the Committee on Labor and Public Welfare.

By Mr. YARBOROUGH:

S. 4615. A bill to establish a Federal Fair Campaign Practices Commission, and for

other purposes; to the Committee on Rules and Administration.

(The remarks of Mr. YARBOROUGH when he introduced the bill appear below under the appropriate heading.)

By Mr. GRIFFIN:

S. 4616. A bill to provide that no regular appropriation act for a fiscal year shall become effective until enactment of the last regular appropriation act for that year; to the Committee on Government Operations, by unanimous consent.

(The remarks of Mr. GRIFFIN when he introduced the bill appear earlier in the RECORD under the appropriate heading.)

S. 4615—INTRODUCTION OF THE "FEDERAL FAIR CAMPAIGN PRACTICES ACT OF 1970"

Mr. YARBOROUGH. Mr. President, I offer for appropriate reference a bill to create a Federal Fair Campaign Practices Commission. I delayed the introduction of this bill until after the general election to eliminate any possible inference of motivation to influence campaigns in progress. Obviously, it is too late for action in this Congress, but I offer this proposal with the hope that the 92d Congress will make it one of their prime legislative objectives.

I offer this bill out of an alarmed concern for the stability of our elective process. This concern springs from many sources, including the general election campaigns of 1970.

Mr. President, it has been obvious to the commentators and press covering the campaigns of 1970 and it has been obvious to us, that in far too many instances these campaigns were conducted at the lowest ethical denominator since the early 1950's. Too many were designed to appeal to the baser instincts of man, to resurrect the tactics of guilt by association and innuendo, and to inflame the emotions of the electorate by distorting the record of the opposition or the meaning of that record.

Too often in the past we have seen good and honorable men beaten by such tactics, but after the campaigns ended we generally shrugged away our disgust in the assumption that politics will always be that way. Our lack of indignation and our inaction served only to embolden those who have no moral or ethical restraint about what they do to secure the power and prestige of office.

Tragically, the recent turmoil and conflicts within our society have presented such candidates with unusual opportunities to exploit the fears and doubts of our people. Instead of speaking the voice of reconciliation, which our Nation so desperately needs, these candidates have spoken the voice of division, seeking instead to exacerbate the gashes in the American psyche.

Mr. President, there will probably always be some degree of unethical campaigning; it is impossible to legislate away completely all political improprieties. The right of free speech, particularly in election campaigns, is at the foundation of our representative system and any effort to deal with campaign abuses must not encroach upon that right. A candidate must have the unencumbered right to inform the electorate about himself or about his opponent, because an informed electorate is the cornerstone

of a democratic society. But this right is founded upon a responsibility, the responsibility to disseminate only the truth, unfettered by innuendos, demagoguery, distortions, and half truths. When candidates engage in the latter, and are successful, we justify the cynical conclusion of Nikolai Lenin when, in speaking of democratic peoples, he said that—

People always have been and they always will be stupid victims of deceit and self-deception in politics.

We, who are candidates and office-holders must take the lead in setting high ethical standards of campaigning if we are going to put the lie to Lenin's disparagement of democracy. The Senate exercised that kind of leadership in another era of low-road campaigning. In 1951, it investigated charges against John Marshall Butler arising out of his bitter campaign of 1950 against the late Senator Millard Tydings. Although the bipartisan committee investigating the charges of defamation declined to take the drastic step of unseating Senator Butler, it did unanimously state that—

We vigorously denounce such acts and conduct and recommend a study looking to the adoption of rules by the Senate which will make acts of defamation, slander, and libel sufficient grounds for presentment to the Senate for the purpose of declaring a Senate seat vacant.

The committee had this further comment about the campaign tactics of Mr. Butler:

Such campaign methods and tactics are destroying our system of free elections and undermine the very foundation of our Government.

Butler had circulated a tabloid entitled, "From the Record," which contained "misleading half-truths and false innuendos" which, as the committee report pointed out, though it may not have employed the "big lie" technique it certainly did employ the "big doubt" technique. It attempted to create the impression that Senator Tydings was disloyal to his country and one of the examples cited in the brochure was the innuendo that he had encouraged Earl Browder, Communist leader, to say that Owen Lattimore and others being investigated by Senator Tydings' Armed Services Committee were not Communists.

This tactic is analogically the same as the ones employed so frequently in the campaigns of this year, for example:

First. A film is shown of the riots and violence at Chicago and Washington with the voice of the candidate accusing his incumbent opponent of "fanning the fire of violent dissent by encouraging demonstrations" and in the same breath asking if we should "tolerate a handful of extremists who are bent on tearing this country apart?"

Second. A newspaper advertisement is run asserting that the electorate should be "shocked" because his opponent "voted against prayer in schools"—referring to the Dirksen amendment—and then asks "Is this the man you want to vote for—a man who votes against prayer?"

Third. A candidate accuses his opponent of "supporting the Vietcong" because he opposed the Vietnam war.

Fourth. Candidates are called radical-liberals in an attempt to associate them with the violent radicals.

Fifth. Candidates are recurrently castigated for permissiveness, which is allegedly responsible for the violence in our society; their loyalty is impugned by innuendo by the assertion that their opposition to the war has aided the Vietcong, and they are made to appear that they oppose all religion by an oversimplification of the Dirksen amendment vote.

Mr. President, these are but a few of the instances of abusive campaigning which afflicted the democratic process this year.

As a result of the pernicious 1950 campaigns, action was taken to upgrade elections. Miss Anna Lord Strauss, a recent president of the League of Women Voters of the United States; Gardner Cowles, publisher of Look, and Palmer Hoyt, editor and publisher of the Denver Post, formed a nucleus for a National Fair Campaign Practices Committee.

Its first action was to adopt the code of fair campaign practices, based upon a draft code from the Senate Subcommittee of Privileges and Elections at the time of its 1951 recommendations. The second step was to prevail on the national leaders of the two major parties, Republican Chairman Leonard W. Hall and Democratic Chairman Stephen A. Mitchell, to join Miss Strauss in a Washington press conference to endorse the code and commend it to their fellow politicians.

Since 1954, the Fair Campaign Practices Committee has tried to do a job within the confines of its function and purpose. As a private, voluntary body, it has no power to go into court and its decisions have no legal sanction. They do not even lay a predicate for legal action. The committee has made a great deal of progress through voter education but the tenor of the campaigns this year make it obvious that we are losing ground at a dangerously rapid rate in the fight against unethical campaign practices. Unless the abusive campaign tactics of this past year are halted, we are going to have bought offices, a bought Congress, a loss of our democratic institutions.

Perhaps one of the reasons for the recent upsurge in abusive campaigning can be traced to the Supreme Court decision in New York Times against Sullivan, which in effect held that a candidate cannot sue a political opponent for libel, even though the opponent has lied about him, unless he also meets the heavy burden of proving that the lies were maliciously uttered. That decision, and others in consonance with it, for all practical purposes eliminate political libel as a restraint upon unethical campaigning.

Mr. President, it is my view that it is urgent that we forthwith give legislative sanction to a commission designed to lead to honest campaigning for Federal office.

The purpose of my bill is to create a commission that will have the staff and means to do an effective job, and will have the power to take judicial action. More importantly, it will be required to

act within a very short period of time—the hearing examiner must make his recommendations within 4 days after the filing of complaint—except in special situations. This time limitation provision is, I believe, essential to a meaningful law because time is so much of the essence in a hard-hitting campaign.

Obviously, it is difficult to draft any law, much less a comprehensive one, in this complicated, sensitive area. And I will concede at the outset that my proposal could under no stretch of the imagination constitute a panacea. But it is the best approach to a problem that must be dealt with. In the aftermath of the elections of 1970, if we do nothing we will be compounding the disillusionment of so many, young and old alike, with the democratic system. If any think that the degree of disillusionment is insignificant, they are only fooling themselves. The crisis of confidence we hear so much about will become justified if we attempt to look away from this crisis in campaign ethics.

The New York Times made an assessment of the 1950 campaigns which could apply with equal force to this year's election:

A nightmare of immersion in billingsgate. . . . So complete is the character assassination in some cases that those who reach public office will have lost the confidence of the voters who put them there. The most serious result of all, perhaps, is that if this sort of thing continues, it will become increasingly difficult to get decent men and women to stand for public office because of the unjustified abuse suffered en route.

Mr. President, we must once again surface from the murky waters of billingsgate. This bill is a step in that direction. I ask unanimous consent that the bill be printed in full at this point in the RECORD.

The PRESIDING OFFICER (Mr. STEVENSON). The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 4615) to establish a Federal Fair Campaign Practices Commission, and for other purposes, introduced by Mr. YARBOROUGH, was received, read twice by its title, referred to the Committee on Rules and Administration, and ordered to be printed in the RECORD, as follows:

S. 4615

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Fair Campaign Practices Act of 1970".

ESTABLISHMENT OF COMMISSION

SEC. 2. (a) For the purposes of establishing standards by which the fairness of campaign practices may be judged and regulating unfair campaign practices in order to provide consistent and high standards of ethical conduct in campaigns for nomination for election and election to the Senate, the House of Representatives, and the Presidency there is established a commission to be known as the Federal Fair Campaign Practices Commission (hereinafter referred to as the "Commission").

(b) The Commission shall be composed of 5 members as follows:

(1) 4 members, not more than 2 of whom

shall be members of the same political party, appointed by the President by and with the advice and consent of the Senate; and

(2) 1 member chosen by the appointed members, who shall serve as chairman.

(c) Appointed members of the Commission shall serve terms of four years, and the member chosen by the appointed members shall serve a term of two years.

(d) A vacancy in the Commission shall not impair the right of the remaining members to exercise all the powers of the Commission, and three members of the Commission shall constitute a quorum.

DUTIES OF THE COMMISSION

SEC. 3. The Commission shall—

(1) promulgate fair campaign practice standards and guidelines for use in conducting campaigns for election to the House of Representatives, the Senate, the Presidency, or Vice Presidency in accordance with such standards; and

(2) investigate complaints of unfair or unethical campaign practices in accordance with the provisions of section 4 and take appropriate action, except that complaints of unlawful campaign practices shall be referred to the appropriate law enforcement agency.

COMPLAINT PROCEDURE

SEC. 4. (a) Upon receipt of a complaint by a candidate for nomination for election or election to the House of Representatives, the Senate, the Presidency, or the Vice Presidency, or a person authorized by such a candidate, relating to unfair, unethical, or otherwise substandard campaign practices engaged in by such candidate's opponent or by any other person on behalf of such candidate's opponent, the Commission shall notify the person charged with such practice of the complaint and of a hearing on the complaint. The hearing shall be conducted in accordance with the provisions of sections 554 through 557 of title 5, United States Code, within 2 days after the receipt of the complaint by a hearing officer appointed by the Commission. Prior to such hearing the person charged with such practice may admit the practice as charged and enter into an agreement with the Commission to cease and desist from such practice, and, in the event of such agreement, no hearing or further proceedings under this section shall be conducted with respect to the charges made for so long as such person complies with the terms of the agreement.

(b) Within 2 days after such hearing, the hearing officer shall submit his decision, including findings and recommendations, to the Commission and furnish copies of his report to the parties involved in the hearing. Either party may appeal the hearing officer's decision within two days after receiving it. If no appeal is made, the decision of the hearing officer is final. If the hearing officer's decision is appealed, the Commission shall promptly grant a hearing, in accordance with the provisions of section 557 of title 5, United States Code, and, if it finds that the practice complained of is an unfair, unethical, or otherwise substandard campaign practice, shall issue a cease and desist order in the case. Any such order may be enforced, upon request made by the Commission, by the district court of the United States for the district in which the person against whom such order is directed resides, does business, or can be found.

(c) Whenever a decision by a hearing officer becomes final, or a decision is issued by the Commission, the Commission shall cause such decision to be published in a newspaper of general circulation in each congressional district in which the candidate for whose benefit the practice was intended is a candidate for election or nomination.

(d) The Commission may, for good cause

shown, extend any period provided under this section for the holding of a hearing after an initial complaint or for appealing a decision of a hearing officer.

ADMINISTRATIVE PROVISIONS

SEC. 5. (a) In carrying out its duties under this Act, the Commission shall have the authority conferred upon the Federal Trade Commission by sections 9 and 10 of the Federal Trade Commission Act (15 U.S.C. 49 and 50), except that the attendance of any witness shall not be required outside of the State in which he is found, resides, or does business, and the production of evidence may not be required outside of the State in which it is kept.

(b) Subject to such rules and regulations as may be adopted by the Commission, the Chairman shall have the power—

(1) to appoint and fix the compensation of such hearing officers, attorneys and other staff personnel as he deems necessary, including an executive director who may be compensated at a rate not in excess of that provided for GS-18 of the General Schedule under section 5332 of title 5, United States Code, and

(2) to procure the services of experts and consultants in accordance with section 3109 of title 5, United States Code.

(c) All members, officers, attorneys, and employees of the Commission shall be subject to the provisions of sections 7324 and 7325 of title 5, United States Code, notwithstanding any exemption contained therein.

(d) The Commission shall have an official seal which shall be judicially noticed.

(e) The principal office of the Commission shall be in or near the District of Columbia, but it may meet or exercise any or all of its powers at any other place.

(f) The Commission shall at the close of each fiscal year report to the Congress and to the President concerning its activities, including the names and duties of all individuals employed by it, the complaints received by it and the disposition thereof. The Commission is authorized to make such additional reports on matters within its jurisdiction, together with recommendations for additional legislation, as it may deem appropriate.

COMPENSATION OF MEMBERS

SEC. 6. (a) Section 5315 of title 5, United States Code, is amended by adding at the end thereof the following:

"(94) Members, Federal Fair Campaign Practices Commission."

AUTHORIZATION OF APPROPRIATIONS

SEC. 7. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

S. 4616.—INTRODUCTION OF A BILL TO PROVIDE THAT NO REGULAR APPROPRIATION ACT FOR A FISCAL YEAR SHALL BECOME EFFECTIVE UNTIL ENACTMENT OF THE LAST REGULAR APPROPRIATION ACT FOR THAT YEAR

Mr. GRIFFIN. Mr. President, I introduce a bill and ask unanimous consent that it be referred to the Committee on Government Operations.

The PRESIDING OFFICER (Mr. STEVENSON). The bill will be received and appropriately referred and, without objection, the bill will be referred to the Committee on Government Operations.

The bill (S. 4616) to provide that no regular appropriation act for a fiscal year shall become effective until enactment of the last regular appropriation act for

that year, introduced by Mr. GRIFFIN, was received, read twice by its title, and referred to the Committee on Government Operations by unanimous consent.

ADDITIONAL COSPONSOR OF BILLS

S. 817, S. 3183, S. 3589, S. 3883, S. 4591

At the request of the Senator from Michigan (Mr. GRIFFIN), his name was added as an additional cosponsor of the following bills:

S. 817. A bill to provide for strike ballots in certain cases.

S. 3183. A bill to amend the Federal Water Pollution Control Act to provide for the establishment of a national policy and comprehensive national program for the management, beneficial use, protection, and development of the land and water resources of the Nation's estuarine and coastal zone.

S. 3589. A bill to amend the Welfare and Pension Plans Disclosure Act.

S. 3883. A bill to provide financial assistance to improve education in racially impacted areas and to assist school districts to meet special problems incident to desegregation in elementary and secondary schools, and for other purposes.

S. 4591. A bill to authorize a program to develop and demonstrate low-cost means of preventing shoreline erosion.

SENATE CONCURRENT RESOLUTION 89—SUBMISSION OF A CONCURRENT RESOLUTION AUTHORIZING THE PRESIDENT OF THE SENATE AND THE SPEAKER OF HOUSE TO SIGN ENROLLED BILLS AND RESOLUTIONS

Mr. SCOTT submitted a concurrent resolution (S. Con. Res. 89) authorizing the President of the Senate and the Speaker of the House to sign enrolled bills and resolutions, which was considered and agreed to.

(The remarks of Mr. SCOTT when he submitted the concurrent resolution appear later in the RECORD under the appropriate heading.)

SENATE RESOLUTION 505—SUBMISSION OF A RESOLUTION TO PERMIT TELEVISION AND RADIO COVERAGE OF SENATE DEBATES

Mr. GRIFFIN submitted the following resolution (S. Res. 505); which was referred to the Committee on Rules and Administration:

S. RES. 505

Resolved, That (a) the Standing Rules of the Senate are amended by adding at the end thereof the following new rule:

"RULE XLV

"BROADCASTS AND TELECASTS OF SENATE PROCEEDINGS

"The proceedings of the Senate may be broadcast and telecast at such times and under such conditions as may be specified in rules, regulations, or resolutions adopted by the Committee on Rules and Administration."

(b) The second sentence of paragraph 2 of Rule XXXIV of the Standing Rules of the Senate is amended by inserting therein, immediately after the words "radio, wire, wireless", a comma and the word "television".

SENATE RESOLUTION 506—SUBMISSION OF A RESOLUTION AUTHORIZING THE PRESIDENT OF THE SENATE TO MAKE CERTAIN APPOINTMENTS AFTER THE SINE DIE ADJOURNMENT OF THE PRESENT SESSION

Mr. MANSFIELD submitted a resolution (S. Res. 506) authorizing the President of the Senate to make certain appointments after the sine die adjournment of the present session, which was considered and agreed to.

(The remarks of Mr. MANSFIELD when he submitted the resolution appear later in the RECORD under the appropriate heading.)

SENATE RESOLUTION 507—SUBMISSION OF A RESOLUTION APPOINTING A COMMITTEE TO NOTIFY THE PRESIDENT CONCERNING THE PROPOSED ADJOURNMENT OF THE SESSION

Mr. MANSFIELD submitted a resolution (S. Res. 507) appointing a committee to notify the President concerning the proposed adjournment of the session, which was considered and agreed to.

(The remarks of Mr. MANSFIELD when he submitted the resolution appear later in the RECORD under the appropriate heading.)

SENATE RESOLUTION 508—SUBMISSION OF A RESOLUTION TENDERING THE THANKS OF THE SENATE TO THE VICE PRESIDENT

Mr. SCOTT submitted a resolution (S. Res. 508) tendering the thanks of the Senate to the Vice President for the courteous, dignified, and impartial manner in which he has presided over the deliberation of the Senate, which was considered and agreed to.

(The remarks of Mr. SCOTT when he submitted the resolution appear later in the RECORD under the appropriate heading.)

SENATE RESOLUTION 509—SUBMISSION OF A RESOLUTION TENDERING THE THANKS OF THE SENATE TO THE PRESIDENT PRO TEMPORE

Mr. KENNEDY submitted a resolution (S. Res. 509) tendering the thanks of the Senate to the President pro tempore for the courteous, dignified, and impartial manner in which he has presided over the deliberations of the Senate.

(The remarks of Mr. KENNEDY when he submitted the resolution appear later in the RECORD under the appropriate heading.)

SENATE RESOLUTION 510—SUBMISSION OF A RESOLUTION TENDERING THE THANKS OF THE SENATE TO THE ACTING PRESIDENT PRO TEMPORE

Mr. MANSFIELD submitted a resolution (S. Res. 510) tendering the thanks of the Senate to the Acting President pro tempore for the courteous, dignified, and impartial manner in which he has

presided over the deliberations of the Senate, which was considered and agreed to.

(The remarks of Mr. MANSFIELD when he submitted the resolution appear later in the RECORD under the appropriate heading.)

ADDITIONAL STATEMENTS OF SENATORS

THE NATIONAL ANTHEM

Mr. MATHIAS. Mr. President, throughout the years, there have been numerous attempts to replace the Star-Spangled Banner as the national anthem of the United States. So it was no surprise to me when I read in a newspaper recently that opera star George London, the Artistic Administrator of the Kennedy Center, has urged that the Star-Spangled Banner be replaced. Mr. London is quoted as saying:

We are stuck with a pretty bad anthem. I have always wished that we had another national anthem.

He suggested that Julia Ward Howe's Civil War song, the Battle Hymn of the Republic might be a suitable replacement for the Star-Spangled Banner which he contended is difficult for most people to sing.

Mr. President, I do not intend to argue with Mr. London on the musical merits of the Star-Spangled Banner, but I do feel that he is out of tune with the rest of the Nation when he says we are stuck with a bad national anthem. Mr. London's talented and powerful voice has been enjoyed by opera lovers around the world, but he sounds a bit flat to me when he suggests that the national anthem should be chosen solely on the basis of octave and range. His suggestion to replace the Star-Spangled Banner is out of tune with the mood of the Nation. An anthem must be more and the Star-Spangled Banner is and, for Mr. London's benefit, I would like to run through the scales of history to refresh him on the historical background of our national anthem.

The Star-Spangled Banner was written during the bombardment of Fort McHenry in Baltimore during the War of 1812. The United States entered the war for three basic reasons: First, Britain, while blockading French ports, seized American ships trading with France; second, Britain, refusing to recognize naturalization of American sailors, seized 4,000 by 1810 and impressed two-thirds into British servitude; and third, Britain armed Indians who raided western borders of the United States.

On September 13, 1814 and the following day, a British naval squadron, under the command of Admiral Cockburn attempted to capture Baltimore but were stopped by the guns of Fort McHenry from entering Baltimore Harbor. Francis Scott Key witnessed the British bombardment of Fort McHenry from an English ship. It began at 7 a.m. September 13 and lasted, with intermissions, for 25 hours. The British fired over 1,500 shells, each weighing as much as 220 pounds.

However, they were unable to approach closely to the fort because its defenders had sunk 22 vessels in the channel.

Key wrote the first stanza of the Star-Spangled Banner on the back of an envelope while witnessing the battle. The next day at Indian Queen Inn in Baltimore he wrote out the poem and gave it to his brother-in-law, Judge J. H. Nicholson. Nicholson suggested the tune, Anacreon in Heaven, and had the poem printed on broadsides, two of which survive today. On September 20, the poem appeared in the Baltimore American.

The flag that Key kept watch for till the dawn's early light was made by Mary Young Pickersgill of Baltimore. Her home has been made a national historical landmark. The flag is preserved in the Smithsonian Institution.

The Star-Spangled Banner was ordered played by the military and naval services by President Wilson in 1916, as the Nation prepared to enter World War I. It was designated the national anthem by act of Congress on March 3, 1931. In doing so, the Congress ratified what was in the hearts of the Nation's citizenry.

I made this recitation to point out that the Star-Spangled Banner is more than just a song. It is an epic of the courage of our ancestors during troubled times. Key would not have been in a position to witness the bombardment of Fort M'Henry had he not offered himself as a hostage in return for the freedom of a friend who was being held by the British.

So, Mr. President, I am not in harmony with those, like Mr. London, who would replace an epic with a song. As I stated earlier I will not argue the musical merits of the Star-Spangled Banner, but I do submit for inclusion in the RECORD John Philip Sousa's opinion of efforts to replace the Star-Spangled Banner as the national anthem. I urge those who would lobby for a new national anthem to study Sousa's words and the history behind the stanzas of the Star-Spangled Banner. Perhaps this exposure will strike a note of patriotism in their hearts and bring them into concert with those of us who cannot sing but love our national anthem just the same.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

THE OPINION OF JOHN PHILIP SOUSA CONCERNING THE STAR-SPANGLED BANNER AS THE NATIONAL ANTHEM OF THE UNITED STATES

(Written for the Home of Chief Justice Taney, Frederick, Md.)

Contests to obtain a new National anthem to supplant "The Star-Spangled Banner" should give little worry to those who love the soul-stirring song written by Francis Scott Key.

When I was Director of the United States Marine Band, there was a concerted effort to establish a new National anthem. Because of my position with the Marine Band, I was told that I should do my share by entering the competition. Three very eminent judges considered the contributions of the contestants. I entered the contest, but I didn't get the prize. Some time later I met the author of the poem who was awarded the prize, and he told me that he hadn't sold a copy of his song. What I want to point out is that no matter how distinguished the judges may be, they cannot judge for the people at large.

It is true that James Whitcomb Riley's "America" is quite suitable for an anthem. I wrote the music for this poem. It has been very popular, but it has never once threatened "The Star-Spangled Banner."

There has been at times some criticism that Americans do not know the words of their National anthem. In reply let me ask how many Nations know more than the first few lines of their National song? And what does it matter? It is the spirit of the music that inspires.

There are others who assert that our anthem is not suitable for march music. This is not true. "The Star-Spangled Banner" makes splendid march music. No matter how many critics our anthem may have, none of them can dispute the fact that it was a very satisfactory anthem during the World War and played an enormous part in arousing enthusiasm and patriotism.

It would be as easy to make a stream run uphill as to secure a new National anthem as the result of a prize contest. The only possible chance that we might have a new National anthem would be when the eyes of all Americans are directed toward some particular cause and another genius captures the spirit of the moment in a thrilling song of patriotism. Until that time I do not believe the veneration for Francis Scott Key's anthem will ever be displaced.

TRIBUTE TO SENATOR GORE

Mr. MANSFIELD. Mr. President, as I have risen in recent days to add my farewell to departing colleagues, there was no tribute more difficult to deliver than the one I am about to offer.

ALBERT GORE is my close friend. To be sure, there is much of his character and his capacities that are admired; there is a record of legislative accomplishment that ranks among the greatest ever achieved; there is a man who during his career has become a living symbol of integrity. But for me, knowing him as a friend has been the honor above all others.

I noted that many of our colleagues in the Senate exhibited certain surprise at the three-line entry in the Congressional Directory with which ALBERT GORE has summarized his career. Interestingly, those three lines do suggest the entire story.

They refer first to his family. To his children and wife the dedication and devotion of ALBERT are well known indeed. Next is indicated the 14 years spent as a Member of the House of Representatives. It was there that ALBERT mastered the skills and abilities that brought him success unsurpassed as a legislator. Finally, there is noted his last 18 years in the Senate. And it has been here in the U.S. Senate that ALBERT GORE has reached the pinnacle of his career.

There are occasions—though rare—when a man passes through this Chamber whose outstanding character and talents are formed in such fashion that he is set apart. The contributions of such a man are truly unique. Such a man is ALBERT GORE. Because of him it is a better Senate.

Because of him, too, it is a better Nation. For it was on the most important national issues that ALBERT GORE made his most significant marks. Frankly, I do not know which achievement ALBERT would most prize. His contribution to the matter of East-West relations and a bet-

ter understanding thereof has been profound. His leadership in behalf of tax reform was absolutely indispensable in bringing relief and equity to those in low- and middle-income groups who had been saddled for too long with the major onus of income taxes.

May I say finally, that not always is a public career distinguished consistently by courage, high principle and deep conviction. ALBERT GORE's career has been an exception in this regard. Though faced often with competing interests and attitudes, the objectives he sought were never sacrificed to the expedient of compromise. For that, succeeding generations of Americans will be forever in his debt. Those generations will know that there are greater personal defeats than those suffered at the polls. There are defeats suffered through the compromise of conviction and belief. ALBERT GORE has never experienced such a defeat and he leaves the Senate a man of unimpeachable principle whose legacy of courage and conviction stand as monuments to this man from Carthage, Tennessee.

Mr. President, I ask unanimous consent that an editorial "The Old Gray Fox of Tennessee" which appeared in the Washington Post in November be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE OLD GRAY FOX OF TENNESSEE

"I called on Vice President John Nance Garner who welcomed me as a Congressman-elect, and offering me a glass of bourbon—which I declined—told me: 'Young man, I never saw a Congressman defeated for something he didn't say and didn't do.' Well, there was something to that—the advice given young Representative Albert Gore from on high more than 30 years ago when he arrived in Washington. But John Nance Garner, as it turned out, was only the first in a series of Vice Presidents whose admonitions Albert Gore chose to defy. The latest of course has been Vice President Agnew, who labored mightily in Tennessee this year to ensure the defeat of the three-term senator, otherwise known as the Old Gray Fox of Tennessee. And, in the increasingly cornball parlance of the hardfought campaign the old fox was finally "freed." Despite an extraordinary battle and a relatively close result, Senator Gore was defeated by Congressman Brock for re-election Tuesday, after a distinguished 32-year career in Congress.

In those 32 years, and well before Spiro Agnew came upon the scene, there were plenty of other potentates Albert Gore didn't mind taking on—from Tennessee's venerable and formidable Senator Kenneth McKellar (whom he deposed) to Senate Democratic Leader Lyndon Johnson, against whom he once led a memorable revolt. One biographical sketch a while back described Senator Gore, the independent and curiously austere legislator, as "an unclassifiable Democrat whose most familiar habitat is somewhere off the reservation." Over the years—from on and off the reservation—his record on the great national issues was impressive—TVA, Dixon-Yates, the oil-depletion allowance and other more abstruse tax matters on which he became expert on the Finance Committee, arms control and disarmament and nuclear affairs generally which he came to be specially skilled at and specially interested in as a consequence of his years on the powerful Joint Committee on Atomic Energy.

If we were to single out any particular actions of Senator Gore's that were likely to

linger in the minds and memories of Washingtonians among whom he has lived for so many years, we would cite first his courageous—even reckless—refusal to sign the so-called "Southern Manifesto" condemning the Supreme Court's school desegregation decision in 1954. More recently there have been his decisions, taken in full knowledge of the price likely to be paid in this current election, to vote against confirmation of two nominees to the Supreme Court of whom he could not approve and also to resist the congressional effort to override the court in the matter of prayer in the public schools. So you could say it began with one Vice President and ended with another, but—to his credit—no one can say that Albert Gore was finally defeated for things he didn't say or didn't do.

COMPREHENSIVE ALCOHOLISM BILL

Mr. KENNEDY. Mr. President, I am pleased that President Nixon has now signed into law S. 3835, the comprehensive alcoholism bill sponsored by the Senator from Iowa (Mr. HUGHES). This legislation will be of tremendous benefit to the more than 50 million Americans whose lives are affected by alcoholism because a family member has this illness. And this major new program against alcoholism is a tribute to the thorough, dedicated, effective work of the bill's sponsor, Senator HUGHES.

As chairman of the Subcommittee on Alcoholism and Narcotics of the Committee on Labor and Public Welfare, Senator HUGHES has focused more attention and constructive action on this crippling national problem than ever before in Congress. He held extensive hearings over the last 20 months. He developed a comprehensive program—recognizing that alcoholism is a serious illness which badly needs a far greater commitment of Federal resources and overall priority. And he translated his concern into action, guiding S. 3835 through the Senate and to final passage.

Mr. President, I am privileged to serve on the subcommittee which the Senator from Iowa chairs. I have been tremendously impressed by the depth of his commitment to the problems of alcoholism and drug abuse, by the thoroughness of his efforts in developing facts and proposing responsible programs, and by his steady effort to increase understanding here in the Senate and in the Nation at large about these illnesses.

The Senator's legislative contributions, during just the first 2 years of his term, are remarkable. I commend the Senator for his successful work, one example of which is final enactment of S. 3835.

Mr. President, I also ask unanimous consent that certain remarks prepared by the Senator from Iowa in connection with the signing of S. 3835 be inserted in the RECORD at this point.

There being no objection, the statement by Senator HUGHES was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR HUGHES

Mr. President, I would like at this time to pay tribute to President Nixon for signing into law S. 3835, the most potent and comprehensive legislation in our Nation's history to alleviate the critical problem of alcoholism in America.

Knowing, as I do, how this new law will benefit our entire society—and particularly some 50 million Americans whose lives are directly affected because some family member is afflicted with this deadly illness—I can only think of the familiar saying: "The pen is mightier than the sword."

It seems particularly appropriate that the President has signed this bill in the blessed season of Christmas and the New Year because in this period, more than at any other time of the year, the joyous dream of Christmas and the promise of the New Year are turned into nightmares for many families because of the blight of alcoholism.

On behalf of the millions who know from firsthand experience what alcoholism can mean in terms of human misery, I say: "Thank you, Mr. President."

There are, according to the best estimates now available, over nine million Americans who suffer from alcoholism and severe alcohol dependence.

Dr. Chafitz, the Acting Director of the Division of Alcohol Abuse and Alcoholism in the National Institute of Mental Health, has testified that the figure should probably be as high as 18 million.

If you consider the family members and others affected by the deadly impact of alcoholism, the total is well over 50 million adversely affected.

One out of three arrests in America is for simple public intoxication—a fact which throws an intolerable burden on our system of criminal justice.

The economic waste caused by alcohol abuse has been estimated as high as \$7 billion annually.

At least 50 percent of our highway fatalities are connected with problem drinking. So we are talking of at least 25,000 deaths annually—substantially more than the annual fatalities in Vietnam. Problem drinking is involved in some 800,000—I repeat the incredible figure—800,000 auto crashes each year.

As an Academy Award-winning actress put it—a plucky woman who conquered her own alcoholism and had the courage to admit it publicly—"Alcoholism is a plague, an epidemic in our country . . . It is our Nation's disease. Our disregard of it is our Nation's disgrace."

These are the reasons that point up the importance of the stroke of the pen by which President Nixon translated this landmark legislation into law.

The President has stated his preference for "comprehensive" rather than "categorical" legislation in the health field.

With this principle, I am in agreement.

However, as the Advisory Council on Alcoholism to the Secretary of Health, Education and Welfare recommended: "Significant categorical investments in alcoholism-related research, training, demonstration and evaluation (should) be developed and maintained policy should stress the inclusion of adequate attention to problems of alcohol abuse in the planning and development of all Federally supported comprehensive programs for health and human well-being."

In other words, the critical urgency and unique nature of the problem justify the exception in this case.

This legislation represents the combined efforts of many dedicated public leaders—both in government and in the private sector.

It passed the Senate unanimously. It was modified somewhat by the House and also passed that body unanimously. The Senate accepted the House version and sent it to the President who has now signed it into law.

It deals with subject matter that the Subcommittee on Alcoholism and Narcotics has been studying in depth for 20 months—with testimony from the Administration and with hearings conducted in major cities across the length of the land.

The bill was strongly endorsed by the American Medical Association, the chairman of the Secretary of Health, Education and Welfare's Advisory Council on Alcoholism, the North American Association of Alcoholism, the National Association of State Mental Health Program Directors, the American Public Health Association, and a number of individual citizens of national reputation.

Much credit should go to the Senate Labor and Public Welfare Committee under the chairmanship of Senator YARBOROUGH. Credit should go also to the Senator from Utah (Mr. Moss) and the Senator from New York (Mr. JAVITS), whose work on alcoholism in previous years and whose assistance in drafting S. 3835 was invaluable, as well as to the Senator from Colorado (Mr. DOMINICK) and the other members of the subcommittee and parent committee for the magnificent assistance they gave to this cause.

Great credit should also go to Congressman STAGGERS, Chairman of the Interstate and Foreign Commerce Committee of the House; to Congressman JARMAN, Chairman of the Subcommittee on Public Health and Welfare, which handled the bill in the House; and to Congressman PAUL ROGERS, who has also shown his devout dedication to the task of alleviating the problems of alcoholism; as well as to many other conscientious members of the House.

This has been a classic example of constructive joint action by the two Houses and by the Executive Branch.

We know that we are facing a drug abuse crisis in America today. We also know that alcohol is the most widely abused dangerous drug in our society. The impact of its abuse—in human and economic terms—outstrips the impact of all others.

Here, then, I believe, is an instance in which the Legislative and Executive Branches of our government have worked together constructively to keep faith with the people of the United States.

A TRIBUTE TO SENATOR SPESSARD L. HOLLAND

Mr. GRIFFIN. Mr. President, I wish to join with my colleagues on both sides of the aisle in paying tribute to the distinguished senior Senator from Florida (Mr. HOLLAND) as he prepares to conclude 50 years of service to his State and the Nation.

He leaves the Senate after nearly a quarter of a century in this body.

Senator HOLLAND brought strength and dignity to the Senate, always reflecting reason and calm judgment which are the attributes of enlightened leadership.

In another time and under different circumstances, Edmund Burke wrote:

A disposition to preserve and an ability to improve, taken together, would be my standard of a statesman.

Our distinguished colleague from Florida has demonstrated those characteristics in many different ways.

His contributions to the Nation's welfare are too vast and wide ranging to be enumerated. As one who is very much interested in improving our electoral system, I want to say a word of praise for Senator HOLLAND for spearheading the drive for the constitutional amendment abolishing the poll tax as a requirement for voting in national elections. That was statesmanship of a high order—coming as it did from a Southerner whose interests, one might expect, would be in a different direction.

As one rather junior Member of this body, I wish that we might have Senator HOLLAND with us for many more years. At the same time, one can appreciate that he is entitled to retire after so many years of public service.

As one Senator, I am grateful for the opportunity to have served in the same Senate with Senator HOLLAND. I have profited by it and I shall continue to profit from the example he has set for us all. And I wish for him and his charming wife a most rewarding retirement, in serenity, happiness, and good health in their beloved State.

TRIBUTE TO SENATOR DODD

Mr. MANSFIELD. Mr. President, TOM DODD has served the Senate and the Nation with great distinction. He will be missed.

But a man whose long and varied public career consists of the achievements like those attained by the Senator from Connecticut will never be forgotten. His skill as a prosecutor and investigator led him into diverse areas of expertise where his contributions have been most significant.

I do not know what achievement TOM DODD prizes most. I do know that he led a courageous fight against tremendous odds to update an antiquated gun control—and I stress the word control—law. He succeeded in the face of some of the most severe pressure ever witnessed on any issue. But it was deep conviction and perseverance of unique proportions that assured TOM's success. Those same abilities attached to all matters that gained his interest.

In the field of foreign affairs, he similarly made his mark. And though we did not always agree personally on the vital security needs of this Nation, I admired TOM for his sincerity and for the articulate and forceful manner with which he urged his views.

Again, I say, the Senate will miss TOM DODD. He has served faithfully. He has accomplished a great deal. He can be proud.

THE HOUSING AND URBAN DEVELOPMENT ACT OF 1970

Mr. SPARKMAN. Mr. President, during the rush to complete action on the Housing and Urban Development Act of 1970, H.R. 19436, the statement of managers on the part of the House inadvertently omitted an important action of the conferees dealing with the problem of welfare payments to public housing tenants.

In the Housing and Urban Development Act of 1969, the conferees recognized the "growing practice of stretching an inadequate welfare budget by placing in public housing increasing numbers of families who cannot pay even the operating costs of the units they occupy"; and requested the Secretaries of Health, Education, and Welfare and Housing and Urban Development to study the feasibility of "developing a uniform policy concerning the rents which shall be paid in public housing for families whose rents come from public

assistance." The results of this study have not yet been made available to the Congress although a preliminary report was submitted to the Congress last month.

This year the Senate included in its bill a provision not contained in the House bill which would have prohibited welfare payments to public housing tenants from being reduced because of rent reductions made possible by new public housing rent provisions. The conferees did not adopt this Senate provision.

Instead, they directed the Secretaries of Housing and Urban Development and Health, Education, and Welfare to report to the Congress the results of the study requested to be undertaken in the 1969 Housing Act. The conferees believe there is an urgent need for a uniform national policy in this area and urge the Health, Education, and Welfare and Housing and Urban Development Secretaries to complete the study quickly and make recommendations so that the Congress may resolve this problem as soon as possible.

In addition, the conferees wish to re-emphasize that the 25-percent rent-to-income ratio established by the 1969 Housing Act is intended to be a ceiling on rental levels established by public housing authorities, and that it is not intended that all tenants in public housing pay 25 percent of income for rent.

TFX CONTRACT INVESTIGATION

Mr. DOLE. Mr. President, the report on the TFX military aircraft issued by the Government Operations Permanent Investigations Subcommittee is a startling and profoundly disturbing document. It is startling in its revelations of mismanagement, disregard of patent and convincing facts, disdain for expert and reliable opinion, flouting of established decisionmaking procedures and in its disclosure of ethical irregularities, brazen distortion and misrepresentation of the truth and lack of mere commonsense in the civilian control of our national defense system. The report is disturbing because these disclosures concern the very highest level of policy and decisionmaking in the Department of Defense during most of the past decade.

The TFX project was from the start controversial. Its primary purpose, to provide one aircraft which would fill the dissimilar requirements of the Navy and Air Force, was a highly disputed concept, although its basic appeal in avoiding costly interservice systems, duplication was compelling. Nonetheless, as the report meticulously details, even after the original decision to build the aircraft was made, mistake after error after blunder were compounded to the end that what had started as an endeavor over which reasonable men could differ became a multibillion dollar monument to individual perversity and collective ineptitude. As the report summed it up, mismanagement was the primary cause of the TFX disaster.

FIVE MAJOR MANAGEMENT ERRORS

One's imagination staggers at the seemingly endless catalog of hopelessly incompetent and questionable actions as

the TFX program proceeded. The subcommittee cited four principal management errors after the original 1961 decision to undertake the project. It would be difficult to rank them in any order of magnitude, but their chronological sequence is sufficient to make a lasting impression:

The November 1962, choice of the second-best TFX proposal at the higher price.

The February, July, and October 1964, refusals to heed warnings of technical difficulties in the Navy version of the TFX and permit redesign of that plane.

The August 1966, assumption of personal management control of the TFX program by the Office of the Secretary of Defense.

The April-May 1970, decision to continue line production of the obviously deficient F-111-A model.

THE MOST VULNERABLE DECISION

To my mind, the single most indefensible and inexcusable point of the whole record was the choice—in the face of the profound difficulty of realizing the TFX concept as a practical weapons system at the hoped-for cost savings—of the second-best and most costly proposal. Not only is the decision itself open to criticism and condemnation, but the way in which the decision was reached shows an almost unimaginable disregard for and subversion of elemental management principles as well as serious questions of conflict of interest by principal decision-makers.

Standard source selection procedures were followed in the evaluation of proposals submitted by the six contractors who competed for the TFX contract. These procedures began with a special evaluation group made up of Air Force, Navy, and NASA experts which compiled a detailed and exhaustive report on the submitted proposals. This report in turn was examined by a systems source selection board composed of Navy and Air Force personnel. The SSSB's overall analyses and recommendations on the contract award were given to the Air Force Council of Senior Staff Officers which finally submitted its recommendations to the Air Force Chief of Staff and the Chief of Naval Operations. Four times the entire evaluation procedure was set in motion, and four times came back the recommendation that the Boeing Co. be selected as the contractor for the TFX. At no time during these four evaluations was any other company given a positive recommendation, and in the final evaluation Boeing was unanimously recommended for, among other reasons, "superiority in all major aspects of operational capability" and "lower quoted cost."

After a fourfold investigation, expert opinion was unanimous in recommending the contractor it felt could deliver the best plane at the lowest cost. But when the decision came up for ultimate review by the civilian heads of the Defense Department, the decision, reached after 11 months of exhaustive investigation, was summarily reversed, apparently only with a five-page nontechnical memorandum as substantiation or justification, and the contract was awarded

to General Dynamics Corp. This turnaround was accomplished in slightly more than 2 weeks, without consultation between civilian officials and their senior military advisers or even with other civilians having expertise in the field, and with little communication among those who participated in the decision.

The subcommittee found that the deliberations leading up to reversing the recommendation were "cursory" and that the "efforts in arriving at the decision can best be described as capricious, lacking in depth, and without factual substantiation." The chief criteria which appeared to underlie this reversal were that the Boeing plan insufficiently embodied the concept of "commonality" and that the General Dynamics plan showed superior "cost realism"—even though Air Force revision and correction of the figures for the two bids showed Boeing's proposal to be \$416 million below General Dynamics.

A question naturally arises which cannot be resolved by any of the statements or documentation purporting to justify this decision: Why, if Boeing claimed it could make a better aircraft and make it at a lower cost, did the Government not jump at the chance and write a contract holding the company to its representations? In private life or the ordinary conduct of private business, one would naturally take advantage of a bargain. But obviously, after all the talk of saving a billion dollars on the TFX, the firm commitment must have been to rhetoric and jargon rather than to economy, for General Dynamics was not even held to its revised and corrected cost estimates—the ultimate costs of the program will be more than \$3.3 billion over those estimates. It is simply inconceivable that a decision of this magnitude could have been made in the first place and that it could be made with so little basis in reason or fact.

QUESTIONABLE CIRCUMSTANCES

The full set of facts surrounding this decision may never be known. There may indeed have been very good reasons, or there may have been no good reasons. The whole situation is unfortunate enough on its face, but certain facts concerning principal figures in the Defense Department brought to light in the subcommittee's investigation cast even deeper shadows on the whole affair. And these disclosures are the most disturbing, because they involve the very highest-level Department of Defense personnel.

SECRETARY McNAMARA

Secretary of Defense Robert McNamara was singled out for major criticism, because his was the final authority in the TFX program. And, in addition to the exercise of that final authority he took major initiatives in formulating and insisting upon the TFX concept—especially the "commonality" aspect. And he usurped primary management authority for the project from regular DOD channels as it moved from delay to difficulty to debacle.

Numerous errors in judgment were ascribed to the Secretary in the report, and these constituted the major examples of mismanagement cited. But in all candor

it would be difficult to fault a man who took a controversial step and stood by it in hopes of achieving substantial savings in Defense Department procurement of major weapons systems. However, the totality of the Secretary's conduct during the course of the TFX project raises serious questions about his judgment, his sense of propriety and his concept of an administration official's responsibilities to the Congress, the public and the Government which he serves.

Having had a primary role in the TFX project from its very start, Mr. McNamara could be expected to have been a vigorous advocate and persistent proponent of the aircraft. But he went far beyond the bounds inherent in such a role, as the subcommittee showed through numerous examples of the Secretary's testimony before the Senate Armed Services and Appropriations Committees relative to the progress of TFX. One bit of testimony was described as "deliberately deceptive." One termed "a deliberate deception," another labeled "an obvious and artful attempt to avoid telling the truth," and still another called a "deliberate attempt to conceal the truth and to mislead and deceive." These actions would be reprehensible even if committed by a minor aide in the bureaucracy. But to have a Secretary of Defense behave in such a fashion before two of the most important and prestigious committees of the Congress is totally inexcusable and without precedent.

I believe the subcommittee clearly framed the issue of secretarial propriety in its report, but perhaps it did not go far enough. After establishing the record, the subcommittee might have taken the next step and called Mr. McNamara to make a full account of his statements and actions. He has certainly not made any attempt to come forward on his own initiative to do so. And it would appear to this Member of the Senate that Mr. McNamara owes a full explanation—if one can be made—to the committees before which he gave testimony, to the Congress as a whole and to the taxpaying American public which no doubt relied on his statements before these committees.

One would suppose Mr. McNamara might wish to clarify or at least attempt to explain his conduct. I am sure many Members of Congress and a large segment of the public are curious to know what light the former head of the Defense Department could shed on these matters. In any event, I believe the record is clear, and the burden now rests on Mr. McNamara to come forward and refute it or accept the conclusions which flow from it.

Mr. McNamara was the highest but by no means the only Defense Department official whose role in the TFX case was singled out by the subcommittee for criticism. Indeed there was a regular Pentagon quintet which throughout the course of the controversy played the major role in propelling the ill-fated aircraft into the depths of total disaster.

DEPUTY SECRETARY GILPATRICK

Second to Mr. McNamara in the Department was Deputy Secretary Roswell Gilpatric. He may have been second in

authority, but as the subcommittee disclosed, in the TFX matter, he had one of the foremost cases of conflict of interest that has been exposed in recent Washington history. A Wall Street lawyer, Mr. Gilpatric had had far reaching and substantial contacts with the aircraft industry—and General Dynamics Corp. in particular—and as Deputy Secretary he was a major figure in TFX contract proceedings. Over a significant period Mr. Gilpatric had served as a de facto member of General Dynamics' board of directors, not merely as an occasional adviser or legal specialist. All this in spite of the fact that Mr. Gilpatric was intimately connected with General Dynamics and so fundamentally involved in the decision to grant the TFX contract to the company is damning in and of itself. But the report shows he "deliberately attempted to mislead the subcommittee regarding his relationship with the General Dynamics Corp. As it existed before he accepted the appointment as Deputy Secretary."

The subcommittee's conclusions were simple and clear cut: "He obviously should have disqualified himself from taking any part in the decision." And by not doing so he was "guilty of a flagrant conflict of interest in the TFX award."

SECRETARIES KORTH AND ZUCKERT

The two Secretaries of the services involved in the TFX contract, Navy Secretary Fred Korth and Army Secretary Eugene Zuckert, were also singled out for criticism by the subcommittee: although their roles were less crucial than those of the Secretary of Defense and his deputy. Secretary Korth, because of his association with certain banking interests and an urban area which had a prime interest in the contract award, had a potential conflict of interest in the TFX matter. He apparently played an insignificant role in the decision, but the subcommittee felt it was an impropriety for him not to have formally disqualified himself in the matter, and thus avoid even the appearance of impropriety.

Secretary Zuckert assumed the role of principal defender of the TFX award and prepared the only documented justification for the decision. He was not found to have had any conflict of interest in the case, but the subcommittee felt his memorandum did not "appear to be either a sincere or accurate attempt to reflect the secretarial reasons for the award."

ASSISTANT SECRETARY SYLVESTER

Rounding out the Pentagon quintet was a man whose name is nearly synonymous with the term "credibility gap," Assistant Secretary of Defense for Public Affairs Arthur Sylvester. Mr. Sylvester will probably best be remembered for his contribution to the cause of freedom of information in his statement to the effect that the Government had a right to lie to the public. As I recall this remark was made sometime after the Cuban missile crises of 1962, so the caveat was manifest to those dealing with Mr. Sylvester on the TFX issue. While apparently not involved in the contract decision, he was a major figure in the controversy surrounding the TFX as it

proceeded to its rendezvous with calamity.

Mr. Sylvester's role appears to have been chief obstructionist and information-suppressor toward all those seeking to determine the actual state of affairs in the TFX program. No clearer portrait of his role could be drawn than on page 72 of the report:

March 5, 1964.—Assistant Secretary of Defense (Public Affairs) Arthur Sylvester issued instructions on the F-111 to the Air Force and Navy that said, "The aircraft will be described in such a manner as to make it clear that the advanced fighter will meet the requirements of the Air Force's tactical mission, the Navy's carrier-based fighter mission, and the fighter mission of the Marine Corps." This was 3 weeks after the Navy had recommended a halt to production of the F-111B pending submission of a redesigned airplane that would be capable of meeting Navy requirements (p. 422). The reason for the Navy request, of course, was that the F-111B would not meet the Navy's carrier-based fighter mission requirements. This was a clear directive from the Department of Defense to the Air Force and to the Navy to practice deliberate deception on the press and the public by reporting untruthfully so as to conceal the known glaring deficiencies in the airplanes.

In addition to this sort of general distortion of the truth, Mr. Sylvester was the principal Department agitator and antagonist to the Senate subcommittee during the conduct of its investigation. He maligned the motives of the subcommittee in undertaking its inquiry and falsely imputed undue interest in the contract award and unfairness in the conduct of the investigation to members of the subcommittee. He also complained to the press over the conduct of the subcommittee's investigation. Thus Mr. Sylvester, whether acting on directions or his own initiative, was a primary force in much of the controversy surrounding the TFX and the subcommittee's investigation of it—a controversy about which Defense Department officials complained on many occasions.

LARGER QUESTIONS

Mr. President, the report on the TFX is a serious and important document not only for its own disclosures, but for the larger questions it raises about how major decisions were made and vital national defense policy issues resolved during the Kennedy-Johnson-McNamara years. If the TFX is any indication of normal procedures and practices, what conclusions are we to draw about the handling of other great crises and questions in those years?

Did the United States withhold its promised support for the Bay of Pigs invasions merely because Secretary McNamara had a personal whim one morning that maybe the "cost realism" of the venture was not sufficient to justify the risk that freedom might be restored in Cuba?

Did our country go to the brink of nuclear war during the confrontation with Russia over missiles in Cuba on the strength of a five-page memorandum drafted off the top of someone's head?

Was the C-5 cargo aircraft contract awarded to a bidder who, like General Dynamics, had an advocate in the policy-

making levels of Mr. McNamara's Department?

And the biggest question of all: Did the United States become hopelessly mired in the Vietnam conflict because jargon-spouting, computer-minded proteges of Secretary McNamara ignored or rejected the counsel of their military advisers? Have tens of thousands of American lives been squandered in Southeast Asia because Secretary McNamara and his underlings were too enamored of "cost effectiveness," "commonality," and "systems analysis" to care about "killed in action," "prisoner of war," or "permanently disabled"?

So, as I mentioned, the TFX case raises many larger and profoundly more disturbing issues which go beyond mere dollars and individual conduct. These issues go to the very heart of our national philosophy and to the mood of our people whose daily lives and destinies are touched, sometimes indelibly so, by the Federal Government.

SENATOR M'CLELLAN

In conclusion, Mr. President, I wish to pay special tribute to the distinguished Senior Senator from Arkansas (Mr. McClellan), who as chairman of the Government Operations Committee has become known throughout the country as the Senate's watchman and guardian of the public interest. His initiation and direction of the permanent investigations subcommittee's inquiry on the TFX is just the latest item on an unparalleled list of achievement during his many years of service in this body.

SENATOR ROBERT C. BYRD PAYS TRIBUTE TO RETIRING SENATORS

Mr. BYRD of West Virginia. Mr. President, having already participated in earlier expressions of tribute to retiring Senators SPESSARD HOLLAND, JOHN WILLIAMS, and EUGENE MCCARTHY, I take the floor on this last day of the 91st Congress to pay tribute to Senators DODD, GORE, MURPHY, YOUNG of Ohio, YARBOROUGH, GOODELL, and TYDINGS.

I first served with TOM DODD in the House of Representatives, during the 83d and 84th Congresses. Both he and I were elected to that body in 1952. We both served on the House Committee on Foreign Affairs, and we both came to the Senate in that large class of 1958.

TOM DODD is a congenial, amiable, friendly man, and he is a very able man. He has performed a great service as a member of the Senate Committee on the Judiciary, where we have served together.

He has been a conscientious Senator, and one whose service went beyond the boundaries of his State or region. His has been a supreme dedication to the security of the Nation against subversive elements. His work in the field of drug abuse has been outstanding and, although my viewpoint and his have not concurred with respect to every aspect of gun legislation, he fought for the principles in which he believed and I honor him for this.

TOM DODD leaves a warm place in the hearts of his colleagues, and I want to wish him and his devoted wife, Grace,

health and happiness in the days and years ahead.

ALBERT GORE is among the best orators I have heard during my 24 years of service in legislative bodies. His is a fine legal mind, and I have always admired him for his forthrightness and his courage. As a member of the Senate Committee on Finance, his contributions to tax legislation and social security legislation have been large. I have not always agreed with him in the positions he has taken, but I have always respected him and admired him. His dedication to principle has been an inspiration to me.

The memory of his friendship will remain with us in all of the years ahead. I hope for him and his wife, Pauline, a long and useful and happy life together.

GEORGE MURPHY is undoubtedly one of the most affable and likeable men we will ever know. It was not my privilege to serve with him on any committee, but my observations of him on the Senate floor have filled my heart with admiration and respect for him. He has been an active Senator and has participated often in the debates of the Senate. He has never hesitated to take a stand for the high principles to which he is dedicated, and I am sure that, although his service here is at an end, he will continue to work for the good of the Nation and the preservation of the things which have made this a great Republic. My good wishes will follow him.

STEVE YOUNG is another of those colleagues who entered the Senate following the election of 1958. I have enjoyed his friendship, and I hope that he will remain in Washington where he will still be close to the Senate and we can continue to see him often. He is tough, yet compassionate, and he has never hesitated to take a stand even though he might stand alone. His has been a distinguished career and a lengthy one, and he has given much to his country not only in Congressional service, but also in the military service.

I wish him well as he departs from among us.

RALPH YARBOROUGH is perhaps the most fluent speaker in this body. I have often said that he could put more words into a period of 60 seconds than could any other Senator. He is noted as a historian, and his capacity for work is almost boundless.

His contributions to legislation with respect to health and education are great, and they reflect the humanitarianism of this man. As a fellow member of the Senate Committee on Appropriations, I have had ample opportunity to observe his dedication, his diligence, and his effectiveness.

I hope that his future years will be rewarding ones and that he will continue to have opportunities to apply his many talents to the betterment of the people.

CHARLES GOODELL has never failed to take a stand, even though he was often in the minority. He has been a hard worker and a full participant in floor debate. He is the kind of man who will go out of his way to defend his fellow man against a wrong. He is courageous, intelligent, and diligent.

My good wishes will attend him in his future endeavors.

JOE TYDINGS has been a remarkable young Senator. He has been courageous, he has shown himself to be effective, and he has displayed a marvelous capacity for work.

He is a Senator who has never hesitated to indicate where he stood on any given issue, and he has never been afraid to fight for the principles in which he believed.

He is a young man; his past political service has been an inspiring example; and I hope his future years may also be promising and rewarding.

Mr. President, we shall miss these departing colleagues, and I wish for all of them and their wives and families health, happiness in their work, and God's blessings always.

TRIBUTE TO EVELYN DUBROW

Mr. WILLIAMS of New Jersey. Mr. President, it is gratifying indeed to know that one of New Jersey's favorite daughters has received the national recognition we have known so long she highly deserves.

The Ladies Home Journal of January 1971, in an article written by Donald Robinson, chooses a gallery of significant American women. One of the 75 most notable women in the United States chosen by this article is Evelyn Dubrow, legislative representative of the International Garment Workers Union.

Miss Dubrow brings grace, beauty, and an abiding love for humanity to her work on Capitol Hill. These qualities are supplemented by a fire, zeal, and effective persistence that have made her most notable as a legislative representative working to meet the needs and the best hopes and aspirations of working women and men.

Mr. President, I concur and I know the people of New Jersey concur in the selection of Evelyn Dubrow as one of America's 75 most competent women.

TRIBUTE TO SENATOR JOHN WILLIAMS OF DELAWARE

Mr. GRIFFIN. Mr. President, I share with others a deep feeling of sadness and regret that the service in the Congress of Senator John Williams has come to an end. It is difficult to imagine what the Senate of the United States will be like in January when we return to find that he is not among us—to find that he is not in his customary seat, ever alert and quietly protecting the Nation's interests.

As much as I regret his leaving, still I can understand why he would retire—for, once again, he is doing what he believes is right.

It is impossible to find words to express the esteem and affection I hold for Senator Williams. I could not begin to describe the extent or importance of his distinguished record of service. So far as this Senator is concerned, I am aware of no one in the long history of the Senate who has served the Nation or the people of any State with more devotion, selflessness, and dedication to principle than the great Senator from Delaware.

When he was first elected, one columnist with an utter lack of foresight wrote that John Williams would be out of place in the Senate. As it turned out, John Williams was so out of place that the American Political Science Association selected him in 1959 for its first annual award for distinguished service.

In a 1960 Newsweek Magazine poll, Washington news correspondents selected John Williams as one of the 10 most effective Members of Congress. In December 1969, the Nation's Business magazine paid tribute to him as the "giant" in the Senate.

The record of his service reveals that he often stood alone, or nearly so, in some of the positions he took. But, I am sure that never bothered him at all. As Thoreau once said:

Public opinion is a weak tyrant compared with our own private opinion. What a man thinks of himself—that it is which determines, or rather indicates, his fate.

As a private citizen, long before I came to Congress, I had heard much about Senator John Williams. For example, I knew of his courageous crusade against those in the hierarchy of the Internal Revenue Service who betrayed the trust they assumed. I marveled then at his persistence—and I still do.

Here in the Senate, he carried on many battles in a calm, quiet, but very effective way. As a result of such efforts, he is often referred to as the Watchdog of the Senate, the Conscience of the Senate, and a 1-man FBI. As apt as those descriptions may be, they represent but a meager description of his great service to the people of the United States.

In a positive way, he supported much legislation designed to improve the life and opportunities of ordinary citizens. At the same time, in an era of spend and spend, he consistently stood like a rock, championing the interests of the most put-upon people of all—the American taxpayers.

As the Senator from Wyoming (Mr. HANSEN) has already observed, it would be impossible to place a dollar sign on the value to the country of John Williams' service as a Member of the Senate. But, even if such a dollar value could be computed, it would be an inadequate, misleading measurement. For his greatest contribution, I believe, was summed up in a recent article with these words:

Insistence on the highest standards of morality . . . is the essential message Senator Williams has for his country.

When John Williams first came to the Senate back in 1947, I understand he was rather proud of the fact that he was then the youngest grandfather in the Senate. As he leaves he has still another claim to distinction—he is the youngest great grandfather in the Senate.

While his Senate colleagues will miss him very much, they can rejoice in the knowledge that John Williams will have more time to spend with his devoted wife and with a wonderful family: his daughter, Mrs. Blanch Baker; his three granddaughters, Mrs. Janet McCarty, Mrs. Holly Baker, and Miss Lora Baker; and, of course, his great grandson, Michael McCarty.

Several times I have heard John Williams say, in effect:

I had one career before I came to the Senate. I've had a very rewarding second career in the Senate. And now, I shall look forward to a third career.

What the third career of John Williams may be, I do not know. But of one thing I am certain: He will continue to provide the Nation with an example of integrity and principles.

As John Williams retires, the junior Senator from Michigan hopes there will be many opportunities in the future for those of us who remain in this body to visit with him, to talk with him over a plate of homemade ice cream—to have the privilege of continuing to learn from him—and to have the opportunity to absorb more of his wisdom.

Along with the rest of his colleagues in the Senate, I fervently hope that great happiness and good health will attend him for many, many years on the journey that lies ahead.

TRIBUTE TO SENATOR ALBERT GORE

Mr. YOUNG of Ohio. Mr. President, I salute ALBERT GORE as one of the great Senators of this body. He is a man who refused to compromise his values in the face of changing political winds. He spoke, as always, with determination and courage.

The men who spent so much money and effort to unseat the "Gray Fox" are not really winners, except in the most shortsighted and temporal sense. Men of ALBERT GORE's character, courage, and stature are needed in public life in this time of disillusionment and cynicism.

As author David Halberstam has commented in a recent article about ALBERT GORE in Harper's magazine:

One can almost imagine him seated with Webster, Calhoun, and Clay.

Like them, ALBERT GORE is a man of integrity motivated by loftier principles than mere political survival. He is a man of the people, a great Southern populist.

It has always been considered admirable for a U.S. Senator to adopt a position on the basis of his own beliefs. It has been considered courageous when a Senator has done this when his beliefs were not well represented within his own constituency. But it is representative of an even greater degree of conscience and nobility when a Senator speaks out and votes courageously for his own convictions and beliefs disregarding altogether that he is espousing an unpopular cause or speaking out on an issue where he knows that his political fortune is at stake and that he might have to make some personal sacrifice to maintain his commitment to these views.

President John F. Kennedy wrote a book dedicated to the memory of men who made such sacrifices. It is entitled Profiles in Courage. I sincerely believe that when a sequel to this volume is written, that the senior Senator from Tennessee, ALBERT GORE, deserves a place of honor in such a book. He has expressed his opposition to the war in Vietnam

in a State where such opposition was unjustly considered unpatriotic by a majority of its citizens. Senator GORE refused to align himself with those dedicated to doctrines of racial supremacy at a time when and in a section of the country where such an alignment was considered necessary to political survival.

I cannot help but find a touch of irony in the fact that the strong stands taken by ALBERT GORE on these issues not only helped to turn the tide from intolerance to tolerance and from ignorance to understanding, but also are considered partly responsible for the fact that he will not be a Member of the 92d Congress. It is ironical, as some political writers have observed, that a tremendous sum of money poured forth from the forces of reaction to defeat Senator GORE for reelection. This is a State where the great prosperity of Tennessee and adjoining States resulted from the Tennessee Valley Authority sponsored by President Franklin D. Roosevelt always supported by leaders of the Democratic Party and opposed by big business in Tennessee which opposed Senator GORE.

Such ironies are a part of American political life, however. It is a political system which ALBERT GORE strongly believes in. He will take with him, I am positive, not the bitterness of an election defeat, but the consummate satisfaction of recognizing the correctness of his stands and the dignity with which he upheld them.

SENATORS WILLIAMS AND JACKSON CALL FOR PUBLIC HEARINGS ON COAL MINE DISASTER

Mr. KENNEDY. Mr. President, I ask unanimous consent to have printed in the RECORD a statement prepared for delivery today by the Senator from New Jersey (Mr. WILLIAMS) and an insertion.

There being no objection, the statement and insertion were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR WILLIAMS OF NEW JERSEY

Last week a disaster struck the small mining town of Hyden, Kentucky. The lives of thirty-eight coal miners were claimed by an explosion in a coal mine which opened less than one year ago. During the course of that year the mine has been cited for numerous violations of the new Coal Mine Health and Safety Act, it has experienced a previous explosion and has already suffered one fatality, prior to the disaster.

Reports received by the Labor Subcommittee raise serious questions about whether this disaster could have been averted if the provisions of the recently enacted landmark Federal act had been complied with not only by the operator of the mine but also by the Federal Bureau of Mines.

Today, Senator Jackson and I have called upon the Secretary of the Interior to conduct a public hearing, in accordance with Section 103(d) of the Act to determine the causes of the disaster as well as to determine whether it could have been averted.

We must do whatever is necessary to end this carnage in the mines.

I ask unanimous consent that our letter to the Secretary be printed in the record as well as copies of the previous inspection reports:

U.S. SENATE,

Washington, D.C., January 2, 1971.

Hon. FRED J. RUSSELL,
Acting Secretary, Department of the Interior,
Washington, D.C.

DEAR MR. SECRETARY: We, in the Congress, were greatly distressed by the recent tragedy which struck the small mining town of Hyden, Kentucky. As we are certain you will agree, the mine disaster which claimed the lives of thirty-eight coal miners must never be permitted to occur again.

In writing the Federal Coal Mine Health and Safety Act of 1969, this Congress took great care in providing you with all the tools to assure safe working conditions. We also provided you the necessary authority to conduct after the fact investigations to ensure that the Bureau of Mines would be able to learn from past disasters. That authority includes provisions for public hearings (Section 103(d)).

The public has a right to know what caused this disaster and how future disasters can be averted.

We strongly urge that such a public hearing be convened as soon as your inspectors have concluded the underground phase of their investigation.

Sincerely,

HARRISON A. WILLIAMS, Jr.,

Chairman, Subcommittee on Labor.

HENRY M. JACKSON,

Chairman, Committee on Interior and
Insular Affairs.

COAL MINE INSPECTION REPORT NO. 15 MINE
(M.I. 7008.7) FINLEY COAL COMPANY, HY-
DEN, LESLIE COUNTY, KY., JUNE 19 AND 22-
23, 1970

(By C. E. Hyde, Federal Coal Mine
Inspection Supervisor)

INTRODUCTION

This report is based on an inspection made pursuant to the Federal Coal Mine Health and Safety Act of 1969 (83 Stat. 742).

GENERAL INFORMATION

The No. 15 Mine is on Hurricane Creek about 4 miles east of Hyden, Kentucky, off State Highway Route No. 80.

Mr. Holt Finley, Silbert, Kentucky, Mr. Stanley Finley, Manchester, Kentucky, and Mr. Charles Finley, Manchester, Kentucky, are co-owners and operators of the mine.

The No. 15 Mine was opened in March, 1970, by five drift entries into the Hazard No. 4 coalbed, which averaged 36 inches in thickness locally. The high-volatile bituminous coal dust is explosive. Of the 43 men employed, 39 worked underground on two shifts a day, five days a week, and produced a daily average of 600 tons of coal, which was loaded by a mobile loading machine into rubber-tired mine cars. Management estimated the life of the mine to be five years.

Surface structures consisted of a sheet-metal building, located 60 feet from the mine openings, and two mobile trailers used as a mine office and for supplies.

The five mine openings had been advanced about 1,600 feet underground. Entries were 22 feet wide on 60-foot centers. Crosscuts were about 60 feet apart. Rooms had not been turned. Pillars were not recovered.

The immediate roof varied from fragile shale (draw rock) to firm shale. Standards for roof support were adopted, utilizing conventional timbers and roof bolts. The plan was being followed. A new plan for roof control has been submitted.

Explosives and detonators were suitably transported into the mine as needed. Coal was blasted on shift with permissible explosives, fired with electric detonators and a permissible short-firing unit. Coal was undercut to a depth of about 10 feet before shot holes were drilled. Water-filled plastic bags were used for stemming. The roof was

tested before and after blasting, but tests for methane were not made.

The mine is classed nongassy by the State. Ventilation was induced by a properly installed 60-inch propeller-type fan, operating exhausting. The quantity of air reaching the last open entry crosscut was 12,000 cubic feet a minute, and face ventilation was adequate. Suitable preshift and daily examinations were made, but weekly examinations were not made. Daily fan examinations and weekly ventilation examinations were not made. The analytical results of the air sample collected in the immediate return at a point not less than 12 inches from the face, roof, or ribs, and listed in table 1, indicate that the air in the mine was of comparatively good quality. Tests were made with a permissible flame safety lamp and methanometer in all accessible places, and methane or an oxygen deficiency was not detected.

The mine surfaces ranged from damp to wet. A program had not been established for cleanup and rock-dusting in the face regions. Accumulations of loose coal and coal dust were observed during the inspection. Dust-control measures were not employed on the electric face equipment; however, excessive dust did not appear to be in suspension in the face areas. Rock dust was applied during the inspection to within 20 feet of the faces, and the applications appeared to be adequate. Due to moisture, dust samples could not be collected.

Coal was transported in rubber-tired cars by battery-powered shuttle cars from the faces to the dumping point. Adequate clearance was provided and crosscuts used as shelter holes were free of obstructions. Men were transported in solid-bottom rubber-tired mine cars, and a certified official was in charge of mantrips.

Electric power, at 4,160 volts alternating current and 300 volts direct current obtained from a rectifier, was used underground. Cut-out switches were provided, but lightning arrestors were not installed. An oil switch was provided on the surface for circuit protection. Automatic circuit breakers were provided for the cables on direct current electric face equipment during the inspection. Frame-ground protection was not provided for the direct-current equipment. The trailing cables for the direct-current equipment were of the flame-resistant type.

Tests for methane were made during the inspection before electric face equipment was taken in by the last open crosscut and every 20 minutes thereafter.

Suitable firefighting materials were available.

A map of the mine was available, but did not contain the necessary information.

Adequate escapeways were provided and direction signs were posted. Evidence of smoking was observed underground. Permissible electric cap lamps were used for portable illumination underground. A suitable checking system was in use. Permissible dust collectors were used to control the dust resulting from drilling roof bolt holes. Potable drinking water, sanitary toilet facilities, and a 60-minute self-rescue device were not provided for the miners.

FEDERAL COAL MINE HEALTH AND SAFETY ACT OF 1969—NOTICES AND ORDER

Violation—Section 303(f). Weekly examinations for hazardous conditions were not made. A Notice of Violation No. 3 CH was issued June 23, 1970, on Form 104(b), requiring that this violation be abated by 8 a.m., on June 29, 1970, and a Notice of Penalty No. 3 CH pertaining thereto was issued June 23, 1970. This violation was abated on June 29, 1970.

Violation—Section 303(g). Weekly ventilation examinations were not made. A notice of Violation No. 2 CH was issued June 23,

1970, on Form 104(b), requiring that this violation be abated by 8 a.m., on June 29, 1970, and a Notice of Penalty No. 2 CH pertaining thereto was issued June 23, 1970. This violation was abated on June 29, 1970.

Violation—Section 305(d). The power connection points in the main entry section were in return air. A Notice of Violation No. 5 CH was issued June 22, 1970, on Form 104(b), requiring that this violation be abated by 8 a.m., on June 29, 1970, and a Notice of Penalty No. 5 CH pertaining thereto was issued June 22, 1970. This violation was abated on June 29, 1970.

Violation—Section 305(e). A map of the mine electrical system was not provided. The foregoing violation exists because the personnel needed to abate it was not available to the operator prior to the inspection. Therefore, in compliance with the restraining Order issued on April 23, 1970, Civil Action No. 70-C-50-D, United States Court of the Western District of Virginia at Abingdon, Virginia, this Notice is for information purposes only and no penalty will be assessed.

Violation—Section 305(g). Qualified persons were not used to maintain, test, and examine the electrical equipment. The foregoing violation exists because the personnel needed to abate it was not available to the operator prior to the inspection. Therefore, in compliance with the restraining Order issued on April 23, 1970, Civil Action No. 70-C-50-D, United States Court of the Western District of Virginia at Abingdon, Virginia, this Notice is for information purposes only and no penalty will be assessed.

Violation—Section 305(p). Lightning arrestors were not provided for the power circuits leading underground. A Notice of Violation No. 1 CH was issued June 22, 1970, on Form 104(b), requiring that this violation be abated by 8 a.m., on June 29, 1970, and a Notice of Penalty No. 1 CH pertaining thereto was issued June 22, 1970. This violation was abated on June 29, 1970.

Violation—Section 307(b). Frame-ground

protection was not provided on the direct current equipment. The foregoing violation exists because the equipment needed to abate it was not available for purchase and installation by the operator prior to the inspection. Therefore, in compliance with the restraining Order issued on April 23, 1970, Civil Action No. 70-C-50-D, United States Court of the Western District of Virginia at Abingdon, Virginia, this Notice is for information purposes only and no penalty will be assessed.

Violation—Section 308(b). The high-voltage circuit was not provided with a grounding resistor. The foregoing violation exists because the equipment needed to abate it was not available for purchase and installation by the operator prior to the inspection. Therefore, in compliance with the restraining Order issued on April 23, 1970, Civil Action No. 70-C-50-D, United States Court of the Western District of Virginia at Abingdon, Virginia, this Notice is for information purposes only and no penalty will be assessed.

Violation—Section 312(a). The mine map did not show the required information. The foregoing violation exists because the personnel needed to abate it was not available to the operator prior to the inspection. Therefore, in compliance with the restraining Order issued on April 23, 1970, Civil Action No. 70-C-50-D, United States Court of the Western District of Virginia at Abingdon, Virginia, this Notice is for information purposes only and no penalty will be assessed.

Violation—Section 317(1). Sanitary toilet facilities were not provided on the surface and underground. The foregoing violation exists because the equipment needed to abate it was not available for purchase and installation by the operator prior to the inspection. Therefore, in compliance with the restraining Order issued on April 23, 1970, Civil Action No. 70-C-50-D, United States Court of the Western District of Virginia at Abingdon, Virginia, this Notice is for information purposes only and no penalty will be assessed.

Violation—Section 317(n). Only nine self-rescue devices were provided for the 39 men underground. The foregoing violation exists because the devices needed to abate it were not available for purchase and installation by the operator prior to the inspection. Therefore, in compliance with the restraining Order issued on April 23, 1970, Civil Action No. 70-C-50-D, United States Court of the Western District of Virginia at Abingdon, Virginia, this Notice is for information purposes only and no penalty will be assessed.

Violation—Section 317(s). Potable water was not provided underground. A Notice of Violation No. 5 CH was issued June 23, 1970, on Form 104(b), requiring that this violation be abated by 8 a.m., on June 29, 1970, and a Notice of Penalty No. 5 CH pertaining thereto was issued June 23, 1970. This violation was abated on June 29, 1970.

Imminent Danger—Section 104(a). Dangerous accumulation of loose coal and coal dust were present along the shuttle-car roadways from the loading point to the faces of the six main entries, a distance of about 400 feet. Rock dust had not been applied to within 160 to 240 feet of the faces of the main entries. Trailing cables were run over unnecessarily. Evidence of smoking was present underground. Short-circuit protection was not provided on any of the cables for the direct current face equipment. Gas tests were not made before and after blasting. The trailing cable for the mining machine and mobile drill contained three uninsulated splices each. Gas tests were not made before electric face equipment was taken in by the last open crosscut or every 20 minutes thereafter.

Action taken. An Order of Withdrawal No. 1 CH was issued June 19, 1970, on Form 104(a), causing all persons, except persons referred to in Section 104(d), to be withdrawn from and prohibited from entering the main entry section by the leading point. A Notice of Penalty No. 1 CH pertaining thereto was issued June 19, 1970. This Order was terminated on June 22, 1970.

TABLE 1.—ANALYSES OF AIR SAMPLES

[Date collected: June 19, 1970; Mine No. 15; Company: Finley Coal Co.; Collected by: C. E. Hyde]

Bottle No.	Laboratory No.	Location in mine	Percent in volume					Cubic feet air per minute	Cubic feet methane in 24 hours
			Carbon dioxide	Oxygen	Methane	Carbon monoxide	Nitrogen		
K3033	110669	Immediate return No. 2 entry	0.04	20.89	0.00		79.07	12,000	

REPORT OF NONFATAL COAL MINE EXPLOSIVE ACCIDENT NO. 15 MINE (M.I. 7008.7) FINLEY COAL CO., HYDEN, LESLIE COUNTY, KY., AUGUST 12, 1970

(By H. A. Jarvis and Gordon Couch, Federal Coal Mine Inspectors)

INTRODUCTION

This report is based on an investigation made pursuant to the Federal Coal Mine Health and Safety Act of 1969 (83 Stat. 742).

An accident involving a premature detonation of explosives occurred in the 1 left section, No. 15 Mine, Finley Coal Company, about 6 p.m., Wednesday, August 12, 1970, in which two persons were injured. Rufus Whitehead, mobile face drill operator, received serious injuries to both eyes, chest, and right arm. Mack Collins, drill helper and shot firer, sustained a ruptured eardrum.

Gordon Couch, Federal Coal Mine Inspector, was notified of the accident about 6:45 p.m., Wednesday, August 12, 1970, by Charles Finley, operator, and an investigation was started August 14, 1970, and completed August 19, 1970.

Information for this report was obtained from company officials and employees, a visit to the scene of the accident, and from a

statement by Mack Collins, drill helper and shot firer, who was an eyewitness to the accident.

GENERAL INFORMATION

The mine was opened by four drifts into the Hazard No. 4 coalbed, which averaged 36 inches in thickness locally. Of the 43 men employed, 39 worked underground on 2 production shifts a day, 5 days a week, and produced a daily average of 600 tons of coal, all loaded mechanically.

Coal was undercut to a depth of about 9 feet before shot holes were drilled. A Long-Airdox TDF-20 mobile face drill was used to drill the shot holes. The machine was provided with suitable overload protection, and short-circuit protection for the flame-resistant trailing cable was provided by an automatic circuit breaker. Permissible explosives, electric detonators, and a permissible blasting device were used in blasting operations. Water-filled plastic bags were used for stemming. At the time of the last Federal inspection, transportation, storage, and handling of blasting materials were in a satisfactory manner.

The following persons comprised the investigating committee:

Finley Coal Company

Charles Finley, operator.
Mack Collins, drill helper and shot firer.
United States Bureau of Mines

H. A. Jarvis, Federal Coal Mine Inspector.
Gordon Couch, Federal Coal Mine Inspector.

Fred Jones, Federal Coal Mine Inspector.
A PBR inspection of the mine was completed June 23, 1970.

DESCRIPTION OF ACCIDENT

The second-shift production crew entered the mine at 3:30 p.m., Wednesday, August 12, 1970, under the supervision of the second-shift mine foreman, and performed their normal duties without incident until the time of the accident. Upon completion of blasting operations in the face of No. 1 entry, 1 left section, the drill operator was trimming the drill to the intersection of the No. 1 entry, 1 left, and the No. 1 main entry in preparing to move to No. 6 entry, 1 left. At the intersection, the frame of the drill became lodged on a coal bottom stalling further progress. In the attempt to extricate the drill, the trailing cable was caught between the frame of the machine and mine floor causing a short circuit to occur. The result-

ing arc ignited coal dust, lubricants, and other combustible materials on the bottom of the mobile face drill. Collins (eyewitness) stated that he and Whitehead went to the No. 3 entry and directed a shuttle-car operator to go to the nip station and remove the power from the drill.

After receiving assurance that the trailing cable had been removed from the power source, Collins and Whitehead returned to the drill and, using rock dust, extinguished the small fire which was mainly confined to a container made from a section of a rubber innertube on the drill. This container was pushed off the left side of the drill and covered with rock dust on the mine floor. After determining that no further danger from fire existed, Whitehead and Collins had decided to eat their lunch while the trailing cable was being spliced, but had not left the area and the repairman had not arrived, when the blast occurred. Collins and Clifford Finley, repairman, stated that they thought the blast resulted from heat-weakened hydraulic hoses rupturing under normal pressure. Of the three hoses that ruptured, two were in the same circuit leading to the drill motor and the third connected to the drill bar swing jack. Metallic fragments and other materials were blown into the face, chest, and right arm of Whitehead. Mack Collins stated that a doctor's examination later revealed that he had sustained a rupture of the eardrum. Help was summoned and Whitehead was transported to a waiting ambulance on the surface and thereby to the Frontier Nursing Service at Hyden, Kentucky. Later, Whitehead was taken to the University of Kentucky Medical Center at Lexington, Kentucky, where an examination revealed severe injury to both eyes (possible total blindness) and a severe compound fracture of the right arm.

An examination of the drill and the ruptured hydraulic hoses revealed no indication of heat damage or charring; however slight charring was present on the hydraulic hoses on the opposite side of the drill and on a wooden tamping bar carried on the drill. The rubber container that was burning and removed from the drill could not be found, and the employees stated that they had no knowledge of its contents or how it came to be on the drill. Mr. Charles Finley, operator, stated that in the past he had observed detonators in prepared explosive charges being transported on the drill in similar containers and that he had warned the crews of the danger involved and believed this practice had been discontinued.

A Withdrawal Order, Form 104(a) was issued at the time of investigation (spot inspection) for trailing cables being run over by mobile equipment and not being protected to prevent damage. The Order was terminated the same day.

It is the opinion of the investigating committee that the section of the rubber innertube contained one or more electric detonators and/or cartridges of explosives. The container was ignited, pushed off the left side of the drill, and the contents detonated by heat. The resulting blast severed the hydraulic hoses and the flying debris injured Whitehead and the concussion caused Collins' ear injury.

CAUSE OF ACCIDENT

In the opinion of the investigators, the accident was caused by improper handling and transportation of explosives on the mobile face drill and failure to protect the trailing cable from the mechanical damage by mobile equipment. Lack of proper supervision and permitting coal dust and combustible lubricants to accumulate on the mobile face drill were contributing factors.

RECOMMENDATIONS

Compliance with the following recommendations may prevent accidents of a similar nature:

1. Explosives and detonators shall be handled and transported only by approved means.

2. Trailing cables shall be adequately protected to prevent damage by mobile equipment.

3. Coal dust and other combustible materials, including lubricants, shall be cleaned from and not be permitted to accumulate on electric equipment.

4. On each coal-producing shift, the working section shall be examined for hazardous conditions as often as necessary for safety.

ACKNOWLEDGEMENT

The cooperation of company officials and employees and others during this investigation is gratefully acknowledged.

Respectfully submitted.

COAL MINE INSPECTION REPORT NO. 16 MINE (M. I. 7008.8) FINLEY COAL COMPANY, HYDEN, LESLIE COUNTY, KY., OCTOBER 19, 20 AND 22, 1970

(By Gordon Couch, Federal coal mine inspector)

INTRODUCTION

This report is based on an inspection made pursuant to the Federal Coal Mine Health and Safety Act of 1969 (83 Stat. 742).

GENERAL INFORMATION

The No. 16 Mine is located on Hurricane Creek about 4 miles east of Hyden, Kentucky, off State Highway Route No. 80. The No. 16 Mine is opened by 4 drift entries into the Hazard No. 4 coalbed, which averages 36 inches in thickness locally. Of the 50 men employed, 48 worked underground on 2 production shifts and 1 maintenance shift a day, 5 days a week, and produced 800 tons of coal daily.

FEDERAL COAL MINE HEALTH AND SAFETY ACT OF 1969

Notices

Violation—Section 202(a). Samples to determine the amount of respirable dust in the mine atmosphere were not taken. A Notice of Violation was issued October 5, 1970, on Form 104(b), requiring that the violation be abated by 8 a.m. on October 26, 1970.

Violation—Section 302(a). The roof support plan was not being followed in that roof bolts were installed more than 5 feet apart and crosscuts were more than 22 feet wide. A Notice of Violation No. 1 GC was issued October 19, 1970, on Form 104(b), requiring that the violation be abated by 8 a.m. on October 20, 1970, and a Notice of Penalty No. 1 GC pertaining thereto was issued October 19, 1970. The violation was abated by 8 a.m. on October 20, 1970.

Violation—Section 303(b). The quantity of air reaching the faces of No. 5 and No. 6 main entries was too low to be measured with an anemometer. A Notice of Violation No. 2 GC was issued October 19, 1970, on Form 104(b), requiring that the violation be abated by 8 a.m. on October 20, 1970, and a Notice of Penalty No. 2 GC pertaining thereto was issued October 19, 1970. The violation was abated by 8 a.m. on October 20, 1970.

Violation—Section 303(g). Weekly ventilation examinations were not made. A Notice of Violation No. 1 GC was issued October 22, 1970, on Form 104(b), requiring that the violation be abated by 8 a.m. on October 26, 1970, and a Notice of Penalty No. 1 GC pertaining thereto was issued October 22, 1970. The violation was abated by 8 a.m. on October 26, 1970.

Violation—Section 303(o). A ventilation system, methane and dust control plan has not been submitted by the operator. A Notice of Violation No. 1 GC was issued October 20, 1970, on Form 104(b), requiring that the violation be abated by 8 a.m. on November 17, 1970, and a Notice of Penalty No. 1 GC pertaining thereto was issued October 20, 1970.

Violation—Section 303(t). The operator had not submitted a fan stoppage plan. A Notice of Violation No. 2 GC was issued October 20, 1970, on Form 104(b), requiring that the violation be abated by 8 a.m. on November 17, 1970, and a Notice of Penalty No. 2 GC pertaining thereto was issued October 20, 1970.

Violation—Section 304(a). Float coal dust was deposited in the rock-dusted surfaces in all crosscuts along the main conveyor belt haulage entry from the portal to the loading point. A Notice of Violation No. 2 GC was issued October 22, 1970, on Form 104(b), requiring that the violation be abated by 8 a.m. on October 26, 1970, and a Notice of Penalty No. 2 GC pertaining thereto was issued October 22, 1970. The violation was abated by 8 a.m. on October 26, 1970.

Violation—Section 304(b). Water or water with a wetting agent was not used to abate the dust created by mining operations. A Notice of Violation No. 3 GC was issued October 20, 1970, on Form 104(b), requiring that the violation be abated by 8 a.m. on November 17, 1970, and a Notice of Penalty No. 3 GC pertaining thereto was issued October 20, 1970.

Violation—Section 304(c). Rock dust had not been applied to within 200 feet of the face of No. 1 main entry. A Notice of Violation No. 3 GC was issued October 19, 1970, on Form 104(b), requiring that the violation be abated by 8 a.m. on October 20, 1970, and a Notice of Penalty No. 3 GC pertaining thereto was issued October 19, 1970. The violation was abated by 8 a.m. on October 20, 1970.

Violation—Section 305(a)(4). The operator had not submitted a list of all electric equipment in use at the mine. A Notice of Violation No. 3 GC was issued October 22, 1970, on Form 104(b), requiring that the violation be abated by 8 a.m. on November 17, 1970, and a Notice of Penalty No. 3 GC pertaining thereto was issued October 22, 1970.

Violation—Section 305(g). Electric equipment was not examined, tested, and maintained by qualified persons. A Notice of Violation No. 4 GC was issued October 20, 1970, on Form 104(b), requiring that the violation be abated by 8 a.m. on November 17, 1970, and a Notice of Penalty No. 4 GC pertaining thereto was issued October 20, 1970.

Violation—Section 305(m). The mine fan motor was not protected by an automatic circuit breaker. A Notice of Violation No. 4 GC was issued October 19, 1970, on Form 104(b), requiring that the violation be abated by 8 a.m. on October 26, 1970, and a Notice of Penalty No. 4 GC pertaining thereto was issued October 19, 1970. The violation was abated by 8 a.m. on October 26, 1970.

Violation—Section 306(d). The trailing cables for the loading machine and coal drill contained several temporary splices. A Notice of Violation No. 5 GC was issued October 19, 1970, on Form 104(b), requiring that the violation be abated by 8 a.m. on October 26, 1970, and a Notice of Penalty No. 5 GC pertaining thereto was issued October 19, 1970. The violation was abated by 8 a.m. on October 20, 1970, at the request of the operator.

Violation—Section 307(b). Frame-ground protection was not provided for any of the electric face equipment. A Notice of Violation No. 6 GC was issued October 19, 1970, on Form 104(b), requiring that the violation be abated by 8 a.m. on November 17, 1970, and a Notice of Penalty No. 6 GC pertaining thereto was issued October 19, 1970.

Violation—Section 308(d). The 4,160 volt alternating current circuit leading underground did not contain a ground check monitor to insure continuity of the ground wire and monitor wire. A Notice of Violation No. 5 GC was issued October 20, 1970, on Form 104(b), requiring that the violation be abated by 8 a.m. on November 17, 1970, and a No-

tice of Penalty No. 5 GC pertaining thereto was issued October 20, 1970.

Violation—Section 308(i). A disconnecting device was not installed at the branch line on the high-voltage circuit for No. 16 Mine. A Notice of Violation No. 6 GC was issued October 20, 1970, on Form 104(b), requiring that the violation be abated by 8 a.m. on November 17, 1970, and a Notice of Penalty No. 6 GC pertaining thereto was issued October 20, 1970.

Violation—Section 313(d). Explosives were carried underground in their original shipping containers. A Notice of Violation No. 7 GC was issued October 20, 1970, on Form 104(b), requiring that the violation be abated

by 8 a.m. on October 26, 1970, and a Notice of Penalty No. 7 GC pertaining thereto was issued October 20, 1970. The violation was abated by 8 a.m. on October 26, 1970.

Violation—Section 317(c). A search program has not been submitted by the operator, to insure that the miners do not carry smoking materials underground. A notice of Violation No. 4 GC was issued October 22, 1970 on Form 104(b), requiring that the violation be abated by 8 a.m. on November 17, 1970, and a Notice of Penalty No. 4 GC pertaining thereto was issued October 22, 1970.

Violation—Section 317(i). A program for training and retraining of qualified and certified persons had not been established. A Notice of Violation No. 8 GC was issued Octo-

ber 20, 1970, on Form 104(b), requiring that the violation be abated by 8 a.m. on November 17, 1970, and a Notice of Penalty No. 8 GC pertaining thereto was issued October 20, 1970.

Violation—Section 317(l). Sanitary toilet facilities were not provided. The foregoing violation exists because the facility needed to abate it was not available for purchase and installation by the operator prior to the inspection. Therefore, in compliance with the restraining Order issued on April 23, 1970, Civil Action No. 70-C-50-D, United States Court of the Western District of Virginia at Abingdon, Virginia, this Notice is for information purposes only and no penalty will be assessed.

TABLE 1.—ANALYSES OF AIR SAMPLES

[Date collected: Oct. 20, 1970; Mine No. 16; Company: Finley Coal Co.; Collected by: Gordon Couch]

Bottle No.	Laboratory No.	Location in mine	Percent in volume					Cubic feet air per minute	Cubic feet methane in 24 hours
			Carbon dioxide	Oxygen	Methane	Carbon monoxide	Nitrogen		
K3152	113015	Immediate return No. 1 entry	0.03	20.86	0.00		79.11	14,000	

REPORT OF FATAL COAL MINE HAULAGE (BATTERY-POWERED TRACTOR) ACCIDENT, No. 15 MINE (M.I. 7008.7) FINLEY COAL COMPANY HYDEN, LESLIE COUNTY, KENTUCKY, NOVEMBER 9, 1970

(By C. E. Hyde, Federal Coal Mine Inspection Supervisor, Gordon Couch, Federal Coal Mine Inspector)

INTRODUCTION

This report is based on an investigation made pursuant to the Federal Coal Mine Health and Safety Act of 1969 (83 Stat. 742), to determine the cause of the accident, said to propose measures for prevention of similar accidents.

A haulage accident occurred in the subject mine in which Charlie Wagers, (battery-powered) tractor operator, was so severely injured Monday, November 9, 1970, at 6:30 p.m., when his head was caught between the tractor he was operating and a coal rib, that he was pronounced dead upon arrival on the surface by Dwayne Walker, Coroner of Leslie County, Kentucky. The accident occurred at the intersection of No. 2 entry, 3 right, and No. 6 main entry of the No. 15 Mine. Wagers had about 3 years experience in underground mines, and had been employed as a tractor operator for 3 months in this mine. Wagers was 24 years old and is survived by his widow.

The writer was informed of the accident by Charles Finley, operator of the mine, at 8 p.m., November 9, 1970, and an investigation was started the following day and completed November 13, 1970.

GENERAL INFORMATION

The No. 15 Mine is opened by four drift entries into the Hazard No. 4 coalbed, which averages 33 inches in thickness locally. Of the 43 men employed, 39 worked underground on 2 shifts a day, 5 days a week, and produced 600 tons of coal daily, which was loaded by a mobile loading machine into a rubber-tired mine car (trailer).

Information for this report was obtained from employees, officials and a visit to the scene of the accident.

There were no eyewitnesses to the accident. The investigating committee consisted of:

Finley Coal Company

Charles Finley, operator.
Monroe Mitchell, superintendent.
Walter Hibbard, second-shift foreman.
George Gray, timberman.
Ernest Bowling, roof-bolt operator.
Kenneth Ray Morgan, maintenanceman (loading-machine operator at time of accident).
Merle Lipps, loading-machine operator.

Kentucky Department of Mines and Minerals
United States Bureau of Mines

Everett Bartlett, district supervisor.
C. E. Hyde, Federal coal mine inspection supervisor.

W. E. Duke, Federal coal mine inspector (electrical).

Gordon Couch, Federal coal mine inspector.

The preceding Federal inspection (PBR) was completed June 23, 1970, and a spot inspection was made August 14, 1970. An investigation of a non-fatal coal mine explosives accident (two men injured) was completed August 19, 1970.

DESCRIPTION OF ACCIDENT

The second-shift crew entered the mine at the regular time (3:15 p.m.), and work progressed normally until Wagers (victim) began experiencing trouble with his tractor; he summoned Kenneth Ray Morgan, maintenanceman, to repair the tractor. After the tractor was repaired (trouble was with forward and reverse contacts), Wagers continued to haul coal until his tractor was again disabled, and he summoned the maintenanceman to repair the tractor. The maintenanceman, along with the mine foreman, arrived at the tractor, and proceeded with the necessary repairs which were essentially the same as before. When the necessary repairs were completed, the mine foreman instructed Wagers to take the tractor to the surface and exchange it for an extra tractor if he had any more trouble with his tractor. The maintenanceman assumed his other duties until it was time for him to drive tractors while the regular tractor drivers ate lunch.

After completing this usual cycle, he rode to the loading machine with Wagers (victim) in the deck of the tractor and, arriving at the No. 2 entry, 3 left, where the loading machine was waiting, he relieved the loader operator to permit him (loader operator) to eat his lunch. The loader operator went to No. 6 entry, 3 right, where he had left his lunch at the beginning of the shift. The maintenanceman began loading Wagers' trailer, and had almost finished loading the fall of coal when he discovered that Wagers was having trouble with his tractor again, and was not able to place the trailer into a loading position; the maintenanceman decided to finish cleaning up the place by spilling the rest of the fall of coal onto the mine floor; after this was completed and the loader helper was placing the loader cable onto the loader, it was discovered that Wagers' trailer was fouled against the rib out by the loader, after making two attempts forward and reverse the

tractor stopped against the rib on the third attempt in reverse. George Gray, timberman, yelled to other workmen that a man was injured. The loader operator (repairman) went to the tractor and saw that Wagers' head was caught between the rib and corner of the tractor, he proceeded to remove the cover from the starting box and free the "stuck" contact (reverse contact); he then proceeded to free the victim by tramping the tractor forward about 2 feet. Help was summoned from other workmen, and the victim was removed from the tractor, placed on a stretcher and transported to the surface. Wagers apparently died instantly from massive head injuries. The equipment involved was a battery-powered tractor, S and S Machinery 160, Serial No. 160-52. The tractor is 7 feet, 3 inches wide and 15 feet, 8 inches long, and the Kersey trailer involved is 16 feet, 6 inches long and 12 feet, 4 inches wide.

SUMMARY OF FINDINGS

1. The battery-powered tractor had a contact stuck in reverse, and any attempt to move forward would move the tractor in reverse; the position of the victim's body indicated that he was attempting to move the tractor forward.

2. The Kersey trailer is 2½ feet wider on each side than the tractor, which caused the trailer to hang against the rib.

3. The maintenance program was not effective, in that the contacts were not kept in good operating condition.

4. The overall safety program at the mine was not effective in that new tractor operators were not informed of the hazards that surrounded overall maintenance and operation of battery-powered equipment. The employees at this mine have not been trained in coal mine accident prevention and first aid.

CAUSE OF ACCIDENT

Management's failure to take the defective tractor from service for repairs, and to assure that the battery-powered equipment was in good mechanical condition before being placed in service was the direct cause of this accident. The excessive width of the mine car (trailer) was a contributing factor.

RECOMMENDATIONS

Compliance with the following recommendations may prevent accidents of a similar nature:

1. A maintenance program shall be established to insure that equipment is free of defects before being placed in service.

2. Trailers (mine cars) used for haulage should not exceed the width of the haulage unit.

3. Mine officials shall use closer and more strict supervision at all times in this mine.

4. A program should be provided to train and instruct employees in the proper and safe operation of equipment.

5. Operators of mining equipment should remain alert and should maintain control of equipment at all times.

ORDER

Imminent Danger—Section 104(a).—Battery powered tractor (Serial No. 160-52) (tractor involved in accident) did not have fuses for control circuit and arc shields were missing. Battery powered tractor (no numbers) did not have fuses in control circuit and three arc shields were missing. Battery powered tractor (unit No. LC) had defective brakes and one defective contact in starting box. Battery powered (Load-A-Tram) (Serial No. 468-1003) had two arc shields missing, defective brakes, and no fuse in power circuit.

The Order affects the equipment listed above.

Action taken—Order No. 1 GC was issued November 13, 1970, requiring that the equipment listed not be used until repaired. The Order was terminated on November 16, 1970.

ACKNOWLEDGMENT

The cooperation of company officials and employees, and State mine representatives during this investigation is gratefully acknowledged.

Respectfully submitted,

U.S. DEPARTMENT OF THE INTERIOR,
BUREAU OF MINES,
November 23, 1970.

I.D. 15-02593-0.

MEMORANDUM

To: T. R. Mark, Subdistrict Manager, Coal Mine Health and Safety District C, Barbourville, Ky.

From: Gordon Couch, Federal Coal Mine Inspector.

Subject: Spot inspection, No. 15 Mine (001-0 and 002-0 Sections), Finley Coal Company, Hyden Leslie County, Ky., November 19, 1970

INTRODUCTION

This report is based on an inspection made pursuant to the Federal Coal Mine Health and Safety Act of 1969 (83 Stat. 742).

FEDERAL COAL MINE HEALTH AND SAFETY ACT OF 1969

Notices and order

Violation—Section 202(b)(1). The cumulative concentrations of respirable dust analyzed from four samples collected by the operator during an original sampling cycle conducted in the working environment of the coal cutting machine operator in the 001-0 section amounted to 33.9 milligrams of respirable dust. A Notice of Violation No. 1 GC was issued November 19, 1970 on Form 104(1), requiring that this violation be totally abated by 8 a.m. on December 22, 1970. The operator abandoned the section. An Order No. 1 GC was issued November 19, 1970, and remains in effect.

Violation—Section 305(g). Qualified persons were not used to maintain, test, and examine the electrical equipment. A Notice of Violation No. 2 GC was issued November 19, 1970, on Form 104(b), requiring that the violation be abated by 8 a.m. on December 22, 1970.

Violation—Section 307(b). Frame-ground protection was not provided on the direct-current equipment. A Notice of Violation No. 3 GC was issued November 19, 1970, on Form 104(b), requiring that the violation be abated by 8 a.m. on December 22, 1970.

Violation—Section 317(1). Sanitary toilet facilities were not provided on the surface and underground. A Notice of Violation No. 4 GC was issued November 19, 1970, on Form No. 104(b), requiring that the violation be abated by 8 a.m. on December 22, 1970.

Violation—Section 317(n). Self-rescue devices were not provided for the miners under-

ground. The devices are on order and have not been received. A Notice of Violation No. 5 GC was issued November 19, 1970, on Form 104(b), requiring that the violation be abated by 8 a.m. on December 22, 1970.

GORDON COUCH,
Federal Coal Mine Inspector.

THE NAVAL AIR RESERVE REORGANIZATION AND OVERALL NAVY RESERVE STRENGTH

Mr. THURMOND. Mr. President, as the 91st Congress draws to a close I wish to go on record as expressing my deep concern regarding the recent downturn in strength of the Navy Reserve program.

Despite mandates from the Congress on the strength of the Naval Reserve actions have been taken which have resulted in substantial personnel losses.

Directly related to these personnel losses is the Naval Air Reserve reorganization which has reduced the size of the Naval Air Reserve and relocated many units from populous areas to sites where adequate reserve manpower is questionable.

In the last year five Naval Air Reserve stations have been ordered closed for reasons of economy. These stations include Twin Cities, Minn.; Olathe, Kans.; Seattle, Wash.; Floyd Bennett Field in Brooklyn, N.Y.; and Los Alamitos, Calif.

All of these stations are located in population centers and it is my view that we may be practicing false economy with these closures. In any event, the Nixon administration should not dispose of these valuable property assets until: First, a review of the Naval Air Reserve reorganization is undertaken; and second, the plan to strengthen our reserves, as we draw down on regular forces, is more fully understood and implemented. In fact, a freeze of these closures would undoubtedly be in the interest of our national security.

Secretary of Defense Melvin Laird issued a memorandum August 21, 1970, entitled "Support for Guard and Reserve Forces" which I heartily endorse.

Briefly, this memo calls for increased reliance on the combat and combat support units of the Guard and Reserve. One of the key points in this memo called for action to "support and maintain minimum average trained strengths of the Selected Reserves as mandated by Congress."

The reorganization of the Naval Air Reserve runs counter to this requirement in that it has already resulted in a personnel loss of around 20 percent in that program's manpower. Especially disheartening is the high loss of pilots, technicians, and enlisted air crewmen. The Navy should be taking steps to attract these types of people to their Reserve programs, not following courses which result in their leaving the program.

On April 3, 1970, Assistant Secretary of Defense Roger T. Kelley issued a memorandum to provide policy guidance on the National Guard and Reserve base closures. Among the points which he said must be considered were "maximum use and retention of trained personnel" and maintaining average strength at the current level authorized by the Congress. Again, the Naval Air Reserve planners

seemed to have ignored these requirements.

Mr. President, I ask unanimous consent that these two memorandums be placed in the RECORD at this point in my remarks.

There being no objection, the memos were ordered to be printed in the RECORD, as follows:

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS CHAIRMAN, JOINT CHIEFS OF STAFF, DIRECTOR, DEFENSE RESEARCH AND ENGINEERING, ASSISTANT SECRETARIES OF DEFENSE, DEPARTMENT OF DEFENSE AGENCIES
Subject: Support for Guard and Reserve Forces.

The President has requested reduced expenditures during Fiscal Year 1970 and extension of these economies into future budgets. Within the Department of Defense, these economies will require reductions in overall strengths and capabilities of the active forces, and increased reliance on the combat and combat support units of the Guard and Reserves. I am concerned with the readiness of Guard and Reserve units to respond to contingency requirements, and with the lack of resources that have been made available to Guard and Reserve commanders to improve Guard and Reserve readiness.

Public Law 90-168, an outgrowth of similar Congressional concern, places responsibility with the respective Secretaries of the Military Departments for recruiting, organizing, equipping and training of Guard and Reserve Forces. I desire that the Secretaries of the Military Departments provide, in the FY 1972 and future budgets, the necessary resources to permit the appropriate balance in the development of Active, Guard and Reserve Forces.

Emphasis will be given to concurrent consideration of the total forces, active and reserve, to determine the most advantageous mix to support national strategy and meet the threat. A total force concept will be applied in all aspects of planning, programming, manning, equipping and employing Guard and Reserve Forces. Application of the concept will be geared to recognition that in many instances the lower peacetime sustaining costs of reserve force units, compared to similar active units, can result in a larger total force for a given budget or the same size force for a lesser budget. In addition, attention will be given to the fact that Guard and Reserve Forces can perform peacetime missions as a by-product or adjunct of training with significant manpower and monetary savings.

Guard and Reserve units and individuals of the Selected Reserves will be prepared to be the initial and primary source for augmentation of the active forces in any future emergency requiring a rapid and substantial expansion of the active forces. Toward this end, the Assistant Secretary of Defense (Manpower and Reserve Affairs) is responsible for coordinating and monitoring actions to achieve the following objectives:

Increase the readiness, reliability and timely responsiveness of the combat and combat support units of the Guard and Reserve and individuals of the Reserve.

Support and maintain minimum average trained strengths of the Selected Reserve as mandated by Congress.

Provide and maintain combat standard equipment for Guard and Reserve units in the necessary quantities; and provide the necessary controls to identify resources committed for Guard and Reserve logistic support through the planning, programming, budgeting, procurement and distribution cycle.

Implement the approved ten-year construction programs for the Guard and Reserves, subject to their accommodation within the currently approved TOA, with priority to facilities that will provide the greatest improvement in readiness levels.

Provide adequate support of individual and unit reserve training programs.

Provide manning levels for technicians and training and administration reserve support personnel (TARS) equal to full authorization levels.

Program adequate resources and establish necessary priorities to achieve readiness levels required by appropriate guidance documents as rapidly as possible.

MEMORANDUM FOR ASSISTANT SECRETARIES OF THE MILITARY DEPARTMENTS (I&L)

Subject Policy Guidance on National Guard and Reserve Base Closures

The Defense Department policy concerning National Guard and Reserve Forces is that the readiness of these forces will be strengthened and improved as reductions in the Active Forces occur. As the Secretary of Defense has stated publicly and in Congress, he strongly supports the provisions of the Reserve Forces Bill of Rights and Vitalization Act (Public Law 90-168). In connection with base closure actions, as well as in other areas, we must be governed by this policy.

The success of Reserve programs is completely dependent on population—unlike the Active Forces, the Reserves can exist only in or adjacent to population centers to gain personnel. The transfer of a Reserve unit from one area to another is not a simple procedure and can result in serious personnel losses. The funds required to recruit, equip and train additional personnel necessary for the unit to attain meaningful readiness may offset any savings indicated through disestablishment of the original unit.

We can appreciate that the civilian reservist is dedicated to his mission, and we should endeavor to apply the same Human Goals established for the Active personnel across the total force structure to include the National Guard and Reserves. In this connection, even though the Reserve bases were identified as one area to explore for potential savings, this may not be feasible if a proposed realignment results in the redistribution of Reserve units over a wide geographical area which exceeds a reasonable commuting distance.

I want to make it crystal clear that I am not against the closure or transfer of Guard and Reserve installations provided the action does not impair force readiness and is properly phased and supported. However, it is most important in managing the organization and support of all Reserve Components that we act in accordance with the policy stated above.

In considering base closures for Guard or Reserve Forces, the following factors should govern:

1. Maximum collocation of Guard and Reserve and Active Forces should be achieved on Active military installations whenever the location of the Active installation will not be an unacceptable detriment to operations of the Active Forces, the missions of Guard and Reserve personnel.

2. Maximum collocation of Army and Air Guard, Army, Navy, Marine Corps, and Air Force Reservists into common facilities and common locations, preferably on Active installations.

3. Army and Air Guard, Army, Navy, Marine Corps, and Air Force Reserve flying forces should be consolidated on Active military airfields or as tenants on civilian-operated airfields wherever possible without restriction by service affiliation. This is not only a matter of economy and improved logistical and administrative support, but it is also a matter of continuing to reduce operations in highly congested metropolitan areas.

4. Maximum use of existing facilities through the elimination of support functions not necessarily required for a training facility.

5. Maximum use and retention of trained personnel.

6. Recommended actions will not result in the average strength for the Guard or Reserve Component involved being reduced below current authorized level.

In addition, when Guard and Reserve bases are recommended for closure, such actions should be formally coordinated, as required by statute and Department of Defense Directive, with the Office of the Deputy Assistant Secretary of Defense for Research Affairs. The rationale for the recommended action should include, but not be limited, to the following:

a. Effect on unit and individual readiness.

b. Plans for reassignment of units and personnel.

c. Military construction required to support reassigned units.

d. Support personnel required at new facility.

e. Other Guard and Reserve Forces affected.

f. Estimated personnel losses occasioned by move and proposed action to maintain authorized personnel strength.

g. Information on the planned use of the trained personnel from the Reserve Component unit programmed out by the closure action.

h. Comments from the Chief of the Guard and/or Reserve Components concerned.

The above guidance is provided to insure that, while we are interested in effecting significant savings in Defense expenditures, we do not create new problems through violation of existing laws, through failure to provide adequate training facilities for the Guard and Reserve Forces, or failure to maintain their mobilization readiness and combat capability.

Since the Naval Air Reserve reorganization went into effect last July 1 hundreds of reservists have written me raising sound questions as to the wisdom of the Navy's actions. As a result of this correspondence and the petitions containing thousands of signatures by concerned parties, the Senate Preparedness Investigating Subcommittee has been looking into the Naval Air Reserve reorganization.

The findings of the subcommittee staff indicates to me hearings would be useful for all concerned. It is my hope such hearings will be held.

The Navy appears to have taken a very shortsighted view of the losses which are currently being sustained in the Naval Air Reserve program through base closures and the transfer of Naval Air Reserve squadrons or units incident to the concept of single siting. It is the Navy's contention that they have no recruiting problem now and will not have in the future. In the light of the possibility of an all-volunteer force it is believed that this assumption is fallacious. The military is not in good repute at the moment and the difficulties encountered by the Regular Forces in retaining skilled personnel should indicate that the Reserve will be in for the same trouble, particularly without a draft.

The reorganization of the Naval Air Reserve force, which the Navy says is unrelated to base closures, has resulted in some increased readiness of the two new air groups and air wings. However, in the event that additional requirements are laid on the Naval Air Reserve force, the elimination of large geographical and particularly metropolitan areas as potential recruiting grounds will contribute to a manpower shortage. With a smaller Regular Navy, fewer numbers of trained people will be released to inac-

tive duty, further aggravating the situation.

The architects of the present reorganization of the Naval Air Reserve force seem oblivious to requests that the plan be reviewed and modified as necessary on the basis of changes in basic assumptions and conditions which existed when the plan was conceived. Specifically, the following conditions have changed since the original planning: First, anticipated improvement in airlift capacity has not materialized and is not in sight; second, replacement of trained personnel will be more difficult if we go to an all-volunteer military force; third, recent directives from the Secretary of Defense have placed increased reliance on the Reserve Forces and directed their buildup.

It appears that problems such as we are now experiencing could have been avoided if we had had an Office of Deputy Chief of Naval Operations—Naval Reserve—which would provide, at the highest planning level, a continuous awareness of the requirements of the Naval Reserve. The Army and Air Force Reserves have representatives at these high planning levels. The 92d Congress will certainly want to consider such a proposal.

Finally, Mr. President, it is my hope the Navy will take some tangible steps to meet the problems resulting from the Naval Air Reserve reorganization.

Such actions should certainly include actions by the Defense Department to freeze the Naval air stations pending a review of the Naval Air Reserve reorganization and a determination as to what facilities will be needed as we strengthen our reserve programs in the 1970's.

This country is undoubtedly going to reduce its Active Forces as we draw down in Vietnam. It is foolish to let the economy ax fall on reserve bases which will probably be needed if we are to build up our reserves and depend upon them for future emergencies.

BEST WISHES TO DEPARTING SENATORS

Mrs. SMITH. Mr. President, I want to extend to all the Members of this legislative body who are leaving, my best wishes for health, happiness, and success in their future endeavors and activities. They will be missed in the Senate and I am sure that they will miss the Senate.

The pressure and the pace of activity and work of a U.S. Senator is such that the change will require considerable individual adjustment. Only a rare few people know the activity, the pace, and pressures of senatorial life.

May the adjustment for all those leaving us be pleasant—and may the talents and the rare experience of our departing colleagues be put to the best use possible and not be permitted to be wasted simply because they are no longer in the Senate.

FRANK CARLUCCI

Mr. DOLE. Mr. President, I was extremely dismayed to read in the papers that prospects for Senate confirmation of Frank Carlucci as Director of the

Office of Economic Opportunity in the closing days of this Congress were dealt a damaging blow Wednesday in a hearing before the Labor and Public Welfare Subcommittee.

The press reports that for the price of confirmation as Director of OEO, Frank Carlucci must override Governor Reagan's veto of the California rural legal services assistance program.

Where, may I ask, in the Constitution of the United States, are Members of this body given the right to confirm only those Presidential appointees who agree to conform on certain issues as the price for confirmation?

I believe it should be pointed out that during the course of the Wednesday hearing, Mr. Carlucci pledged that he would make a careful and critical assessment of the Governor's veto as soon as all the facts are presented. He added that a decision would be forthcoming as soon as possible, and that in the interim period, a 30-day grant would be approved to keep the California legal services program in operation without disruption of the services it provides.

Apparently, this was not sufficient and Carlucci was instructed to make a decision early next week on overriding the veto. It was implied rather strongly that if the decision were not made in the specified time period, he might not be confirmed at all.

To Mr. Carlucci's credit, he did not yield to this blackjack pressure in order to expedite his confirmation. I believe this points out rather clearly that Frank Carlucci is a man of principle. He is a man who will display strong leadership in his role as Director and will devote his full energy to strengthening OEO programs.

He is to be commended for his decision to withhold judgment without having an opportunity to review the evidence. It is time to quit playing games like the carrot and the stick with his confirmation, Mr. President. It is time to quit playing politics with programs that are designed to help the poor.

TRIBUTE TO SENATOR ALBERT GORE

Mr. YARBOROUGH. Mr. President, I pay tribute today to one of the giants of the U.S. Senate, ALBERT GORE. As this session ends today, this Congress and this Nation will lose one of the finest men to serve this Nation in this century.

ALBERT GORE is a courageous, honorable, dedicated man who has devoted many years of his life to his State and Nation. His service on the Committee on Foreign Relations, his early opposition to the unwise war in Southeast Asia, and his constant advocacy of justice and decency will guarantee that history will rank ALBERT GORE with the true heroes of this Nation in our era.

ALBERT GORE reminded all of us of something which too many had the tendency to forget, that the true heritage of the American South is not bigotry, not hatred, not intolerance, but gentility, honor, and a concern for the well-being of other men. He has served in the finest tradition of the great statesman that the South has given this Nation.

ALBERT GORE and his gracious wife, Pauline, have been fast friends to me and to my wife during the time that I have served with him in the Senate. I shall always remember the graciousness and courtesy that these two wonderful people have shown us and the other member of my family, and I shall treasure this friendship all the rest of my life.

I became acquainted personally with ALBERT GORE during the 1950's when ALBERT GORE, with his eloquence, reasoned logic, convincing manner, and courtly bearing, campaigned in Texas for Adlai Stevenson for the Presidency. Stevenson did not win, but ALBERT GORE convinced many Texans that he was presidential material himself. And many other Americans watching this competent, calm, courageous Tennessean, thought so too. So much so that in 1960 Esquire magazine singled him out as a singularly gifted man who could be the Democratic dark horse at the 1960 Democratic National Convention.

Three times I was elected to the Senate on a platform of increasing the personal exemption on income taxes. Year after year and Congress after Congress, I introduced bills to increase the personal exemption, but the bills failed. In the 91st Congress, ALBERT GORE promised, as I presented the matter to the Finance Committee, to take the lead in presenting the amendment to his Finance Committee and on the floor of the Senate. He did. The original amendment he and I presented under his leadership, was reduced, but the people do now have an increase in the personal tax exemption, a modest increase, but the first increase in that exemption in about a quarter of a century. It was the longest overdue tax reform to aid the people which has been passed during my nearly 14 years in the Senate, but it could not have been passed without the leadership of that brilliant Tennessean, ALBERT GORE. He is in the mold of Andrew Jackson, Andrew Johnston, Davy Crockett, and Sam Houston, four others who served Tennessee in the National Congress.

ALBERT GORE was defeated, not by the people of Tennessee but by the age-old tactic of fear and misrepresentation fueled by the vast sums of money supplied by selfish special interest whom ALBERT GORE did not hesitate to challenge and who were threatened by his very presence in this body. Though it is possible to remove ALBERT GORE from the Senate, it is not possible to destroy the record he has made, or the fact that during the 1950's and 1960's when this Nation called for leadership, he served with honor the people and the Nation he loved.

COMMITTEE JURISDICTION

Mrs. SMITH. Mr. President, this past Wednesday the Senate engaged in its annual December quarrel about the respective jurisdictions of the Committee on Appropriations and the Committee on Foreign Relations and about having unauthorized items in an appropriations bill.

As was the case the year before—December 1969—again it was the senior

Senator from Florida (Mr. HOLLAND), who brilliantly placed the issue in accurate and proper perspective. Again it was Senator HOLLAND who told us the simple legislative facts of life and who gave us a lesson in legislative fundamentals.

We shall miss the keenness and alertness of his mind and the depth and wealth of his experience and wisdom. We need more like him in the U.S. Senate.

LOOKING BACK AT THE 91ST CONGRESS

Mr. DOLE. Mr. President, as the 91st Congress comes to an end, perhaps this is an appropriate point to survey the record we have compiled and to look forward at what we hope the 92d Congress will be able to accomplish.

At the outset, I suppose no one who is a Member of the Senate or the House—and especially the Senate—can take very much pride in the efficiency of this Congress. When legislative accomplishments are compared to number of days supposedly spent legislating, the 91st must stand as a monument to wheel-spinning. This has been the longest-running Congress in 30 years, and, looking back, it seems that much of what was achieved was with the expenditure of two or three times the energy, time and publicity which should ordinarily be required or expected.

We are ending in a lame duck session, called because many of the basic appropriations bills for the fiscal year begun last July had not been passed. The most likely lasting mark of this lame duck exercise will probably be the record for simultaneous filibusters.

We took three tries to finally confirm a Supreme Court Justice.

We took 7 weeks to shape a congressional declaration of Presidential responsibility as Commander in Chief of the Armed Forces.

We took several months in total to provide this country with an adequate antiballistic missile system.

Several weeks were spent reworking and paring excessive expenditures from vetoed bills.

All in all, one could say that Congress did get its work done, but only the absolute bare bones requirements. And much was left undone.

Welfare reform was the victim of committee difficulties and shifting sources of support.

Trade legislation suffered a confusing and drawn-out death.

Water pollution legislation never made it to the floor for a vote.

Revenue sharing never got off the ground.

The supersonic transport is barely up in the air.

Social security increases were the victim of the crush of adjournment.

There are numerous other items which could be added to the 91st's list of non-accomplishments. However, the difficulties, delays and disappointments of this Congress may serve as a powerful stimulus for more efficient and productive efforts in the 92d.

In any event, we can expect that the senatorial contenders for the 1972 Democrat Presidential nomination will be

bending every effort to have the maximum possible time available for pursuit of their elusive goal. And with such a significant number on the other side of the aisle committed to that common goal, we can look forward to earlier sine die adjournment for the new Congress.

So, given Republican dedication to providing President Nixon with the legislative cooperation and partnership he needs and deserves and Democrat commitment to full-time campaigning, I believe the new Congress will be more productive and more efficient as well. It can hardly fail to exceed the 91st in these categories.

A NEW YEAR FOR HUMAN RIGHTS

Mr. PROXMIER, Mr. President, although today is the last day of this session of Congress, it marks the first day of the new year. A new year to consider the human rights conventions.

This session of Congress has seen the first significant progress in passing the human rights conventions by the United States. The Foreign Relations Committee has, for the first time, reported out favorably the Genocide Treaty. Although we did not have a chance to vote on it because of the press of business, I have great hope the Senate will continue to move forward and finally pass these vital treaties.

TRIBUTE TO SENATOR WILLIAMS OF DELAWARE

Mr. ROTH, Mr. President, this is indeed a momentous day for my family and me. I am proud to have the opportunity to serve in this distinguished body. I am especially proud to represent the First State here.

While this is a memorable day for me, it is also a day of regret, as the career of one of our truly great Senators has come to an end. Senator John J. Williams is loved and respected not only in Delaware but throughout the United States. His contributions to good government are many and varied. He stands for integrity in Government, dedication to duty and sincerity of purpose. He became known as Mr. Integrity as the watchdog of the Senate. I heard a distinguished Cabinet member of the previous administration personally thank him for saving the American dollar. It is indeed a great honor and challenge to succeed a man of Senator Williams' stature.

However, more than just as a statesman, I cherish Senator Williams' friendship, his warm wit and his wise counsel. The Senate and the Nation will miss his services. We will also miss his companionship. Fortunately, we can take some consolation from the fact that even in retirement he will continue his services to his country.

In conclusion, I ask unanimous consent to include as part of these remarks an editorial and article praising the services of this distinguished Senator.

There being no objection, the editorial and article were ordered to be printed in the RECORD, as follows:

[From the Washington Daily News, Dec. 26, 1970]

THERE ARE FEW SUCH

One of our fellows used to have a toast which went like this: "Here's to the best of us; there are few such."

Sen. John J. Williams of Delaware is a standout among the "few such." He was elected to the Senate in 1946, and now he is retiring because he thinks he is too old (66) to run again.

In his 24 years, Senator Williams has taken his shafts and won some glory. But that gives hardly any line on the man.

He is unique. Shafts didn't upset him; glory didn't faze him. And, in fact, he got a minimum of each.

Sen. Williams practiced a type of politics few politicians understand. He just played it straight, with himself and with his constituents. He was affectionately known as "Whispering Willie" because his natural voice was just above a whisper. He never raised it. He never made a senate speech, unless he had something to say. He didn't go on junkets. He read the legislation, and knew not only what it said but what it meant.

He made no pitch for the limelight, sought no favors from anyone, aspired to no other office, stamped his trademark on no special legislation, cottoned to no cliques.

The Senator's reputation in Washington largely was built on his absolute impartiality and his everlasting pursuit of deceit and corruption and bungling. He literally has been the "watchdog" of the senate. Meticulously and patiently, he hounded cheats in any administration, Truman's or Eisenhower's. He could disagree with a Nixon as easily as with a Johnson, if a principle were involved.

Here has been no Daniel Webster of eloquent oratory, no Henry Clay of ambition and lofty statesmanship, no Bob LaFollette of crusading fame, no Lyndon B. Johnson or adroit maneuvering.

He has been merely one damned fine United States Senator.

And he leaves behind him a proposed constitutional amendment which would stipulate that no U.S. Senator could be sworn into office after age 65, no representative after 68 and that federal judges would be required to retire within 30 days of their 70th birthday.

It has little chance of enactment, but it should have. The country would benefit greatly. It's a legislative legacy worthy of the man.

"IT'S TIME TO MOVE OVER": SENATE'S "WATCHDOG" IS LEAVING

(By Dan Thomasson)

In 1949 a prominent Delaware businessman went to his state's then-freshman Republican U.S. Senator, John J. Williams, with a seemingly fantastic tale of organized tax corruption that reached into the highest levels of both the Justice Department and the Internal Revenue Service.

"Don't ask me how I know this," said the constituent, who happened to be a Democrat, "but it's all there if you're of a mind to dig it out."

Sen. Williams was. And after nearly a year of painstaking investigation he took the Senate floor to outline a scandal that would shake the foundations of the Truman Administration.

It would also launch Sen. Williams, now 66, on a career as Senate investigator and watchdog of government ethics. He is voluntarily bringing that career to a close Jan. 3, retiring after 24 years of Senate service.

But among dozens of spectacular investigations, it is that initial disclosure of tax cheating in high places that he counts first among his accomplishments as self-appointed guardian of the government's conscience.

It led to a series of grand jury probes which involved eight regional IRS directors and five high Washington officials including an assistant attorney general, the late T. Lamar Caudle, who went to prison as a result. It also brought about a reorganization of the Treasury Department and IRS.

Why was this a high point?

"Because," Sen. Williams explains, "our tax system functions on a voluntary basis. It works only when the public has confidence in those who administer it. The tax investigation showed the public we aren't going to tolerate those who break faith with the public trust."

Defending that trust and helping shape the nation's fiscal policy as the now-senior Republican on the Finance Committee, have been the major interests of his lively Senate career.

The chiseling and boondoggling he has exposed have become legend.

An early target was President Truman's Agriculture Secretary, Charles F. Brannan, who called Sen. Williams a liar for charging the department's Commodities Credit Corp. hadn't made an annual report in three years because its books were \$350 million out of balance.

A subsequent investigation showed Sen. Williams had erred only by understatement. The books actually were \$366 million out of balance.

His latest big case resulted in Senate Democratic Secretary Robert G. (Bobby) Baker's conviction on tax evasion and other charges.

Throughout the years Sen. Williams variously has:

Exposed widespread waste in the nation's foreign aid programs, showing at one time that funds were being used to buy such things as fancy wine glasses and bubble gum.

Launched a campaign that ultimately brought the resignation of a top member of President Eisenhower's staff, Sherman T. Adams.

Led an investigation of abuses in Medicare and Medicaid that has resulted in a tightening of regulations and presently pending law changes to make cheating difficult.

Conducted an annual fight against farm subsidies that this year resulted in the first limit on these subsidies.

Sen. Williams reminisced about his career recently over a dish of ice cream in a favorite haunt—a corner of the Senate restaurant where thru the years he has met privately with trusted newsmen. Such meetings are as close as Sen. Williams ever has come to a press conference.

He recalled that after this election in the 1946 campaign the late columnist Drew Pearson had rated him "D"—unqualified. And, in fact, little in his background forecast the distinction of his public service.

A poor boy, frustrated by meager resources in his ambition to study law, he launched a feed and broiler business on the chicken-producing Delaware peninsula—and became a millionaire.

A shy, stammering man, fed up with big government, he was nominated by his party largely because he could finance his own campaign. No one expected him to unseat the popular Democratic incumbent James M. Tunnell.

He not only whipped Sen. Tunnell, but in 1952, when national Republicans were running on a pledge to clean up the "mess" in Washington—an issue Sen. Williams gave them with his IRS investigation—he ran ahead of Dwight D. Eisenhower in Delaware.

Then and since his style has baffled the proponents of slick politics. He has been a loner in a town used to organized spectacles. No TV cameras, big hearing rooms and bigger staffs of ex-FBI agents have produced his disclosures.

He has depended on his own shoe leather, a small group of dedicated secretaries in his office and a small army of tipsters inside and

outside the government who trust him never to disclose a confidential source.

Thus, during an investigation of alleged kickbacks and fraud in regional operations of the Federal Housing Administration, Sen. Williams flew to Texas, walked into a regional FHA office unannounced, quietly introduced himself and demanded to see the files.

"They turned green," Sen. Williams chortled in the raspy half-voice that has earned him the nickname "Whispering Willie" in the Senate press gallery.

And in the midst of the Baker investigation, he made several trips to California to nail down evidence Baker had received \$100,000 in political contributions from that state's savings and loan association officials. The contributions eventually were the heart of the Justice Department's case against Baker. The Supreme Court Monday refused to review Baker's conviction.

Over the years Sen. Williams, a conservative, lent credibility to his Methodist sense of what's right by targeting on the programs or personalities of either party with a fine impartiality.

He describes a former leader of his own party, whom he declines to name publicly, as the man for whom he had least respect during his four Senate terms. Conversely, he has the most respect for Democratic Leader Mike Mansfield, "a gentleman of great integrity, always an American first."

He is winding down his career with an all-out fight against the Nixon Administration's welfare reform plan. During his Senate career he has been awesomely consistent in opposing oil depletion allowances, increased pay and retirement benefits for congressmen and farm subsidies that would have aided his own enterprises.

And in one of his final acts he has done what has become his hallmark—challenge his colleagues on a matter of principle. Last week he introduced a constitutional amendment stipulating that no senator shall be sworn into office after age 65, no representative after 68 and no judge after 70.

Says Sen. Williams, still in good health at 66: "It's time to move over for the younger folks. I think most of us should get out at 65—before we start failing and someone has to whisper behind our backs that 'he was a good man but he sure is failing.'"

What else should congress do to improve its image?

"Pass a tough law requiring accurate reporting of political contributions and expenditures," Sen. Williams says. "Then approve a campaign."

"Also, congress is overorganized. There are too many subcommittees with high-priced staffs that spend their time collecting unusable, inane material, all so everybody has a little patronage."

When Sen. Williams leaves the Senate, the records and documents gathered in scores of investigations will go with him. Much of the material they contain has never been disclosed.

What will a man who has been so involved in public life do when he quits it?

"I'll keep busy," he said. "But that will be another story for you."

DR. JULIUS AXELROD SHARES THE NOBEL PRIZE FOR MEDICINE

Mr. TYDINGS. Mr. President, Dr. Julius Axelrod, head of the National Institute of Mental Health's pharmacology laboratory in Bethesda, recently shared the Nobel Prize for medicine. His research in brain chemistry has led to the development of drugs to treat mental illness.

Many psychiatrists believe that depression is caused by a lack of noradrenaline in the brain, making possible the development of antidepressant drugs. Also, Dr.

Axelrod believes that a successful chemical treatment for schizophrenia, one of the most common of mental illnesses, may soon be developed.

I commend Dr. Axelrod for his excellent contributions to solving the mysteries of mental illness and the development of its potential cure. I ask unanimous consent that the article from the Washington Post for October 16, 1970, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NIMH SCIENTIST SHARES NOBEL MEDICINE PRIZE

(By Stuart Auerbach)

An international trio of scientists—including a researcher at the National Institute of Mental Health—yesterday shared a Nobel Prize for medicine for studies into brain chemistry that have led to the development of drugs to treat mental illness.

All three men—Dr. Julius Axelrod of NIMH in Bethesda, Sir Bernard Katz of London and Dr. Ulf S. von Euler of Stockholm—made pioneering discoveries in the way chemicals released by nerve endings in the brain affect behavior, from sleep to antisocial acts.

Their studies into the chemistry of the sympathetic nervous system, which controls involuntary actions, also have application in the treatment of heart disease and high blood pressure.

"Their discoveries concerning the regulatory mechanisms in the nervous system are fundamental in neurophysiology and neuropharmacology, and have greatly stimulated the search for remedies against nervous and mental disturbances," the Caroline Institute of Stockholm said in announcing the award of the \$76,800 prize.

Dr. Axelrod, dressed informally in a brown-checked sport shirt, learned of the award yesterday morning while sitting in a dentist's chair.

"I'm overwhelmed," he told a news conference after a morning celebration, which included champagne in paper cups, with co-workers in his lab.

"Every scientist has a secret dream of winning the Nobel Prize."

Axelrod credited von Euler, 65, with paving the way for the laureates' discoveries. The Swedish scientist, whose father, Prof. Hans von Euler-Chelpin, won the Nobel Prize for chemistry in 1929, discovered in 1946 that the chemical noradrenaline carries messages between nerve cells.

But von Euler, in Stockholm, said that Axelrod's discoveries during the past 13 years have been the most important.

Axelrod, 58, found out how noradrenaline—which he couldn't spell at the news conference—is regulated in the brain cells. The chemical's effects are turned on and off by an enzyme, called catechol-o-methyl transferase, which Axelrod discovered.

Sir Bernard, 59, a biophysicist, worked in another area of the sympathetic nervous system.

He discovered how a chemical called acetylcholine is released at the junctions of nerves and muscles. His work, done over the past 35 years, is important in understanding how information bridges the tiny gaps between nerve cells and the muscles they affect.

Sir Bernard, at the University of California at Berkeley for four lectures, was awakened at 7 a.m. (PDT) by a university policeman who said he had won some sort of an award.

The scientist went back to sleep, but was awakened a half hour later by Dean Sanford S. Elberg.

The three winners have never worked together, although von Euler and Axelrod have exchanged papers on their research.

Nevertheless, said Axelrod, "There is a common thread."

This thread is the understanding of how the brain works. Knowing that, said Axelrod, means that scientists can design "better more effective and safer drugs" to treat a wide variety of diseases.

These could include abnormal blood pressure, heart disease, respiratory illness and digestive problems, since the sympathetic nervous system controls all of them.

But the first practical application of the pioneering basic research of the three winners has been in the field of mental illness.

Axelrod cited as an example the development of anti-depressant drugs, which interfere with the way the brain handles noradrenaline. Depression, many psychiatrists believe, is caused by a lack of noradrenaline in the brain, the NIMH scientist said.

He also cited the development of L-dopa for the treatment of Parkinson's disease as a direct benefit of fundamental research into brain chemistry.

And in the future, he said, knowledge being developed in his laboratory may produce a successful chemical treatment for schizophrenia, one of the most common of mental illnesses.

Dr. Bertram S. Brown, director of NIMH, said in introducing Axelrod that the winning of a Nobel Prize by a government scientist is especially important now because of "an anti-intellectual and anti-research bias" in some parts of the country.

Axelrod, blinded in the left eye by a laboratory accident 35 years ago, has headed NIMH's pharmacology laboratory in Bethesda since 1955. A native of New York City and a 1933 graduate of the City College there, he did not bother to get his doctorate until 1955. Then he received his Ph.D. from George Washington University here in six months.

He is married to the former Sally Taub and they have two children. The family lives at 10401 Grovenor Pl., Rockville.

MAMIE EISENHOWER

Mr. DOLE. Mr. President, a recent Gallup poll of the woman people most admire revealed what many of us already knew, that Mamie Eisenhower remains number one. Although she has not sought personal publicity, Mamie Eisenhower, in her quiet way, is an example for all of us.

I ask unanimous consent that an editorial tribute to Mamie from today's Washington Daily News be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MAMIE THE MOST!

One of the pollsters annually asks the people he polls to tell him what woman in the world they most admire.

For the second year running, his voters favor a lady who is not much in the news these days—Mamie Eisenhower.

The pollster didn't ask our opinion, but we hasten to cast our vote—for Mamie.

The pollster says Mamie has rated the "top 10" on his admiration list ever since 1952 when her husband first was elected President.

Well, Mrs. Eisenhower has lived an outstanding life; as a lady, as a partner of a great general and a two-term President. She has been the same thru tough times and more gloried times. She has never written a blab-all book, or used her position or popularity to make herself important.

She is and always has been Mrs. Eisenhower, pal of Ike, kind, helpful, generous and a lady of eminently good taste. Bless her heart.

TRIBUTE TO SENATOR YARBOROUGH

Mr. NELSON, Mr. President, the distinguished senior Senator from Texas, Mr. YARBOROUGH, is completing this week almost 14 years of outstanding service in the U.S. Senate.

For the past 8 years, I have served with Senator YARBOROUGH here in the Senate. For 6 years I have served on the Labor and Public Welfare Committee with him, the last two as chairman of the Employment, Manpower, and Poverty Subcommittee while he served as chairman of the parent committee.

Senator YARBOROUGH has been a tremendously helpful and supportive committee chairman, in addition to being a distinguished Senator from his home State. Without his valuable support, advice, and encouragement, our subcommittee could never have accomplished the things we did in this session in extending the war on poverty, winning more realistic appropriations for badly needed programs such as Headstart, and winning strong bipartisan congressional approval for a badly needed reform in our manpower training programs—the latter bill which was unfortunately vetoed by the President.

Even before I was privileged to serve with him in the Senate, RALPH YARBOROUGH was a highly respected figure to me because he represented the same great progressive tradition in Texas as was represented in Wisconsin by the late great Senator Robert M. LaFollette, Sr., and his two distinguished sons, Robert M., and Philip.

From his first entrance into public life, RALPH YARBOROUGH, like Bob LaFollette before him, has been a fighting champion of the public interest, trying to make government an effective friend and helper of the public, rather than an oppressor or a servant of special interests.

History has shown that the road of such champions of the public interest is a rocky one. Senator YARBOROUGH, like Bob LaFollette, had to fight his way up on the strength of his own personal resources, stumping the State against formidable odds, pressured and threatened every step of the way by powerful forces which sought to still his voice before it could be heard.

But he made it, largely on his own, supported only by the great mass of citizens who finally heard his message and came to appreciate the truth it held for them.

Senator YARBOROUGH's personal triumph in the stormy arena of Texas politics, against overwhelming odds and despite successive defeats, must stand in American history as one of the great personal success stories of all times—and as one of the greatest victories ever won by those who labor in the public interest.

There followed a long series of legislative triumphs, which have profound impact on the entire Nation, not just the State of Texas. In his leadership role on the Labor and Public Welfare Committee he played a major part in the great liberal programs launched during the Kennedy-Johnson years. But it is interesting to note that the victories

for which he is most remembered are those which involved the under-represented members of our society—veterans needing help in education and job training, persons handicapped by a lack of fluency in English, school dropouts who need a program such as the Jobs Corps to get back into the mainstream of society, low-income citizens who can't get the kind of medical care they need. These are the people on whose behalf RALPH YARBOROUGH has been willing to make that great special effort. And these are the things for which he has become so highly respected.

The Labor and Public Welfare Committee will not be the same without RALPH YARBOROUGH. The battles he fought in the past must be fought again next year, and the year after, and his powerful voice will be greatly missed.

But I am confident that he will continue the struggle he has waged so courageously in the past, identifying the public interest, fighting to make certain that it is protected, and never giving up, no matter what obstacles are placed in his path.

Mr. President, I ask unanimous consent to have printed in the RECORD an article entitled "YARBOROUGH Isn't Through Yet."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

YARBOROUGH ISN'T THROUGH YET

U.S. Senator Ralph Webster Yarbrough has been in public life for nearly 40 years. And, by State Department protocol at least, he is the highest ranking Texan in government.

Perhaps curiously, he identifies in Texas history with Sam Houston: He considers Houston to have been, as he considers himself, a misunderstood and under-appreciated public servant. Yarbrough also thinks Houston was Texas' "premier and ideal senator." He ranks himself, modestly, not far below.

Houston, of course, was kicked out of office in 1861 when, as governor of Texas, he refused to take the oath of allegiance to the Confederacy. As a result of his defeat in the Democratic primary, Yarbrough ends his current Senate career the day before the 1971 Congress convenes—ironically at the height of his power as a senator. His successor will be chosen in the November general election.

Historians might argue over the relative significance of the deposing of Houston and Yarbrough, but the fact that Yarbrough mentions the implied parallel is an insight into this man. For even if he is not misunderstood by Texas voters, at least he is rarely seen in his full dimensions.

When he was asked how he felt about his failure to win renomination for the Senate, he gave, by Yarbrough-watchers' standards, an unusually concise answer, one both stoical and egotistical: "If you do things, you are apt to get voted out of office. Winston Churchill, at the end of World War II, is a classic example. I've done things, too, and taken chances. I'd rather be doing something than just coasting along, although coasting along makes you more likely to stay in office. I never have coasted, and neither have the other men who have accompanied things in this world."

Many Texas Democrats who voted in the May 2 primaries obviously did not like some of the things the senator had done. Or, in the senator's view, what they were told he had done. Yarbrough readily admits that everything he has done in the Senate has not been popular.

"I've been in tune with progress," he asserts. "I realize I don't always have 100 percent support (in Texas), but the people are for me. The Texas press and the establishment, for example, have been opposed to the education, antipoverty and health programs of the last six years that have moved the country and Texas forward dramatically. But the people of Texas are for those programs. So it's the establishment people who are out of tune with me and the people."

Possibly true, although the "establishment" certainly does not include all the 816,000 or so persons who voted against Yarbrough in the primary.

When he "retires," the 67-year-old senator will receive a pension for the rest of his life. But, he points out ruefully, "it is only about one third of what federal judges get." At one point, Yarbrough's major goal was to be a federal judge.

He wants to practice law in Austin, on his own, and "be free to speak out on public issues about which I have some knowledge and on which I can make a contribution."

He plans to do more writing and speaking about public affairs and also has signed a contract to write a book about the Big Thicket area in East Texas which he wants to make into a national park. "That's my native habitat," he says, "and the thicket bill would be my choice if I could only pass one bill before Congress adjourns."

No one expects Yarbrough to be retired completely from politics. Indeed, he delights in encouraging speculation about his personal political ambitions. He always has wanted to be governor of Texas and, under the right circumstances, he might make his fourth try for the job. He lost gubernatorial races in 1952, 1954 and 1956.

He prides himself on being something of a mystery. This quality extends beyond his political behavior to his personality. One would guess that his biggest disappointment in public life would have been his defeat this year. But, illustrating his history-mindedness and ability to bear a grudge, the senator says it reaches back 16 years to his loss of the governor's race to Allan Shivers in 1954. That was when Shivers accused Yarbrough, who always had heavy support from labor groups, of being responsible for a strike in Port Arthur, as well as for other strikes in Texas.

Why does he choose that race, rather than his Senate defeat, as his biggest disappointment?

"Because I had that (1954) election won and had earned it," Yarbrough says. "Shivers took it away from me. Beat me with the Port Arthur lie. And more importantly, at the time it looked like I would never have another opportunity to do anything in public life, there had been such a smear campaign."

Yarbrough does not consider Texas voters "ungrateful" for what he has done in Washington. He simply thinks they are not informed about his worth to the state and the nation. Characteristically, he accuses the press of being responsible: "They have been screening me out of the news for 13 years—not the working press, but the management people."

The alleged prejudice of the press has been one of the most persistent Yarbrough re-frains of the last two decades. Whether the allegation is right or wrong, it is something the senator feels quite deeply. So deeply, in fact, that he has been accused of being almost paranoid in his dealing with some reporters and some newspapers, which has tended to make the issue circular.

There was a time during last spring's campaign when Ralph Webster Yarbrough considered becoming a Texas version of Spiro Theodore Agnew.

"I've criticized the press in the past, of course," he admits, "and I could have done it again this year. But I didn't because I

thought I would be wasting my time. You can't change the press, anyway. But I may have made a mistake. Agnew is popular as hell for doing it."

Yarborough spends a lot of time these days talking about what he might, or could or should have done to prevent his defeat. But his pondering and worrying goes beyond his own situation. He talks constantly about "the cause of progressive government," because his idea of what that means is what, fundamentally, moves him. He avoids the term "liberal" because it "means something different to everyone." But he constantly uses "conservative" and even "reactionary" to describe those with whom he disagrees.

No one, not even his most bitter political enemy, questions Yarborough's legal skills. He was a brilliant young lawyer, a teacher of law and a respected judge before World War II. Undoubtedly he could have made a lot of money and become a financial backer of "the cause of progressive government" instead of Texas' most prominent liberal politician, and probably the most controversial, of the 1950s and 1960s.

What moved him to get involved in elective politics rather than staying on the sidelines as perhaps a wealthy financier of liberal politicians?

"You have to have the feeling," he says, "that you can accomplish something for mankind that you could not have accomplished if you hadn't gotten involved. And I have that feeling, particularly about the legislation I have passed through Congress."

When he says his biggest contribution to Texas is "the whole body of legislation I've passed and the image I've given Texas because of it," Yarborough claims he is not being arrogant or egotistical. He simply states it as his version of the truth.

Whatever his reputation in Texas politics, Yarborough's standing (as opposed to popularity, which he disdains) with his fellow senators is high. He is chairman of the Senate's influential Labor and Public Welfare Committee and his name is probably attached to more legislation than that of any other senator in Texas history.

Yarborough is fond of pinning down the authorship of legislation by pointing out, "when (former) President Johnson, as Senate majority leader back in the 1950s, was passing all those bills, most of them had somebody else's name on them." By contrast, LBJ, when called on recently for praise of Yarborough, quoted the late J. Frank Dobie: "I salute him for his sense of civilized values, for his sense of justice, for his enlightened intellect, for his decency as a human being and for his integrity."

Asked to specify the significant legislation that he had a major role in passing, Yarborough began with education. He was author or principal cosponsor of a number of landmark laws including the National Defense Education Act of 1958, which laid the groundwork for federal aid to education, and the Elementary and Secondary Education Act, which extended the federal aid concept to the public schools below the college level.

The senator also personally created and saw through to passage the Cold War GI Bill, the Bilingual Education Act, Professors Emeritus Act and measures to extend educational media aid to schools and assist education of the handicapped.

He has been the chief Senate sponsor of the Padre Island National Seashore and Guadalupe Mountains National Park. Yarborough rewrote and got passed over President Nixon's veto an expansion and total reform of the Hill-Burton hospital aid act. He authored a number of other major health programs, including those to establish regional mental health centers, provide migrant health care, aid medical libraries and expand schools of public health.

The Texas senator, while deemed contentious, argumentative and uncooperative by

many of his fellow Texans, is regarded as a legend of sorts in Congress. For one thing, he is the only chairman of a Senate committee who represents a state with more than 10 million people. "In most of the big states you either get beat so often, or die trying to stay in, that you don't build up enough seniority to be a chairman," he says. For another thing, he spends almost all his time on committee work. He is a shrewd legislative architect, to start with, and a rugged compromiser, to end with. In between, as one of his colleagues said in private, "He's hell on wheels if you cross him and a friendly collier if you play ball with him."

That analogy may seem inconsistent with the way Yarborough has appeared to much of the Texas electorate. On the stump, he is a courthouse-lawn orator; the arch foe of the entrenched and the big and the rich; a master of political bombast. But it is not at all surprising that the senator's view of himself differs from his public image. He describes himself as a "calm, sedate, studious type of person—a careful man, a teacher, a lawyer, a judge." He prefers a few hours' reading (mostly about legislative matters and history, his favorite field) to attending a party. Perhaps this is because he does not drink and does not really approve of it.

The Yarboroughs live as simply and privately as a senator from a big state who chairs a major committee can. They do little partying other than official and quasi-official functions they have to attend. Their unpretentious, 6-room Washington apartment in the Methodist Building is the one they have rented for 12 years. It is a 5-minute walk to the senator's office.

They are not wealthy, by any means. Other than a modest older, twice-redecorated home in Austin, where they will live after he leaves office, they own only "a few shreds of land" in West Texas that he got as fees in lawsuits years ago.

"I haven't lined my pockets in public office," he asserts, "unlike many of those who have opposed me. I don't want to name any names—no."

Yarborough likes to recall his earlier campaigning days when the automobile caravan, rather than the corporate airplane, carried the candidate and his entourage, and the old-time "give-'em-hell" speech was the trademark of a candidate, rather than a slick television commercial. That was when the primaries were held in late July, with the runoffs in August, and even in the Texas heat Yarborough was an indefatigable campaigner.

"These new fellows couldn't beat me in a summer campaign," he claims. The senator frankly misses the old style of campaigning perhaps because, though he won't admit it, he isn't particularly effective in the new mass-media advertising style.

For Ralph Webster Yarborough, born just three years after the turn of the century, the politics and politicking of the plain people were simple. You came to a small town, shook all the available hands at the courthouse, dropped by to have coffee with the local folk, kissed a few babies, made an eloquent if perhaps slanderous attack on your opponent and moved on to repeat the performance elsewhere.

Yarborough knew the system well, virtually from birth. His family had been involved in politics for years in East Texas where he was born in Chandler, Henderson County, on June 8, 1903. Young Yarborough didn't take the direct path to politics. He did some rather strange things for an East Texas boy, like spending a year at West Point before dropping out; working for the American Chamber of Commerce in Berlin; entering The University of Texas law school at age 20 and later graduating with highest honors, though he was essentially a college dropout.

The young lawyer served as an assistant state attorney general and in 1936 as a state

district judge, but even with that background he lost a 1938 race for attorney general to a former SMU all-American quarterback, Gerald Mann. He spent World War II as an army infantry and military government officer, then returned to a postwar law practice. After his 1952 and 1954 defeats by Shivers, he challenged U.S. Senator Price Daniel for governor in 1956, only to lose again. But in the 1957 special election to finish Daniel's term in the Senate—which Daniel had resigned to become governor—Yarborough finally won, and against 18 opponents.

Yarborough won the Senate seat again in 1958 against William "Dollar Bill" Blakley, as he called his Democratic opponent, and Republican Roy Whittenburg. Again in 1964, with then-President Johnson's help, he beat Democrat Gordon McLendon and GOP challenger George Bush.

"A political career is terribly difficult on your family," the senator says. "You take a terrific loss financially if you play it straight, so your family suffers, of course. You have to regret all the hardships on your family. (He has a son, Richard, who is a member of the U.S. Indian Claims Commission.) But I don't regret at all having gotten into politics. I am always encouraging young people toward public service, although I warn them about the sacrifices and the pressures and the disappointments. But I certainly have no regrets about my own career."

His lack of regret shows in his work. He continues to act as if he were going to be a senator for another dozen years. All his new legislative proposals, obviously, are not earth-shaking, but some of the senator's work in his lame duck months probably will be vintage—controversial, fight-provoking and worth remembering. For example, he wants to build the legislative groundwork for a national system of health insurance.

There are moments when Yarborough slows down. He likes to recall that in his years in the Senate, he has accumulated 383 packing cases of mail. He's kept it all, this correspondence about subjects as far-reaching as legislation of national import or as personal as getting a son out of an Army stockade.

He also has 350 or so boxes of books, Congressional studies and other papers that he wants to keep. Cataloging his Senate papers and getting them ready for a voter-decreed trip to Texas tends to slow the senator's pace. "Next to losing the election and this office," he says, "the worst thing is having to move."

Talking at his usual fast clip, and at all angles, he mentions a "leisure" activity: "I have only hunted and fished nine days in more than 13 years. I used to do it four to six weeks a year. I want to get that going again."

But, characteristically, his conversation turns again to his Senate work—about how much time he has left, how Congress is likely to be late adjourning this session, and how, therefore, there is more time to be spent passing bills. But, mostly by implication, he is talking about how little time there is left for him—and how much there is for him to do for the nation.

Then, unable to resist one of his career-long favorite roles, he becomes the political enigma again: "If I live as long as my father did (to age 100, plus 11 days), I will be around for a long time." That works out to 33 more years, plenty of time to run for public office again.

Yarborough identifies with Sam Houston in history as an underappreciated public servant. There have been many underappreciated politicians in history. But when the senator claims he is a misunderstood man, the least one can say is that he has always seemed to enjoy that status.

Sometimes, by accident or otherwise, a politician will bare part of his soul in a speech. That happened to Sen. Ralph Yarborough last June when he testified at hear-

ings in Beaumont on creation of a Big Thicket National Park.

It was an acutely political occasion, of course, as the Big Thicket began to gain attention as a place worth preserving for future generations. In supporting the park bill, Yarborough disclosed a sentimental, reflective side of his nature that the public seldom sees.

He was talking about his own experiences as a young man in the thicket area of East Texas:

"The forest fed me, with wild plums and mulberries in spring and summer, grapes in abundance in summer and fall, muscadines and persimmons, red haws, and black haws, chinquapins and hickory nuts, mayhaws and the kernels of nettles. I ate from the field and forest and fried my fish on the river bank, carrying only salt with me.

"As I sat alone on the banks of springs or creeks or rivers and fished and watched the birds and wildlife—as free as an Indian boy except for my store-bought clothes—the wind rustled the leaves of trees and I imagined, as a boy will, that the trees were talking to me. But the trees seemed to be saying Indian words, like I had read from Hiawatha, that I did not quite understand.

"Now I understand that they were crying out for the salvation of our trees, wildlife and rich heritage. Now a fenced-up America has ended wild, free, open and uncrowded woods forever. I have worked for years to help save a part of this heritage in the hope that many generations yet to come can catch a glimpse of the continent as it was when our ancestors first saw it. I feel akin to the things that I saw, hunted, lived with and loved in these East Texas woods a half-century ago."

THE PASSING OF JACOB BLAUSTEIN

Mr. TYDINGS. Mr. President, the story that Jacob Blaustein started in 1910 when he and his father founded the American Oil Co. in an old livery stable in Baltimore recently ended with his death at age 78. Until the father and son team created the first drive-in gasoline station, known as the Lord Baltimore Filling Station, Inc., cars were clumsily serviced at the curb with pumps that never indicated the amount of gasoline injected. These were the first of many innovations that Jacob Blaustein made, innovations which extended far beyond his oil concerns to include a career of diplomacy in human rights, in international statesmanship, and in support of the arts.

Among Jacob Blaustein's most outstanding achievements were his efforts to obtain relief for war victims through his vice presidency of the Conference on Jewish Material Claims Against Germany, his generous support for the formation of the State of Israel, and his career of diplomacy in human rights for five American Presidents—Roosevelt, Truman, Eisenhower, Kennedy, and Johnson.

I mourn the passing of this outstanding citizen. I ask unanimous consent that the article from the Baltimore Sun be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BLAUSTEIN, 78, DIES; HEADED OIL EMPIRE

Jacob Blaustein, a former door-to-door salesman who became head of a financial empire and a spokesman for human rights,

died at 9:30 p.m. last night at his 200-acre farm, Alto Dale, near Pikesville.

Mr. Blaustein, 78, had been in failing health for several days as a result of complications from abdominal surgery performed in January in Chicago.

Funeral services will be held at 12 p.m., Wednesday at Temple Oheb Shalom, 7310 Park Heights avenue.

Mr. Blaustein was a founder of the American Oil Company and president of American Trading and Production Corporation which has vast holdings in oil companies, explores for and produces crude oil, operates a fleet of ocean-going tankers and is in electronics, banking, insurance and real estate.

The oil magnate was a virtual whirlwind of activity in his lifetime. His interests ranged from promoting the cultural life of his native Baltimore to obtaining relief for war victims through his vice presidency of the Conference on Jewish Material Claims Against Germany.

He was one of Israel's most influential and indispensable backers during the state's formative years and often met with chiefs of state to discuss issues of world-wide importance.

He performed missions for five American presidents—Roosevelt, Truman, Eisenhower, Kennedy and Johnson—missions concerned with human rights and world peace.

He had negotiated with Russia's Mikoyan and Molotov, Chancellors Adenauer and Erhard, of West Germany; Prime Minister Ben-Gurion, of Israel; the Shah of Iran, Foreign Minister Rapacki, of Poland, and President Frondizi of Argentina.

Those who knew much of his work, some of it done quietly and without portfolio, say he often played a decisive part in correcting misunderstandings between the United States and the infant state of Israel. And, it is said, he played an important role in getting Israel into the United Nations.

His career of diplomacy in human rights began in 1945 when he and Judge Joseph Proskauer, of New York, were summoned to the White House by President Roosevelt and authorized to attend the formative meetings of the United Nations in San Francisco as consultants to the United States delegation.

HISTORIC ACHIEVEMENT

There, working against a frustrating indifference, particularly from Moscow, they helped put human rights provisions in the United Nations Charter, an historic achievement.

"None of us ever was sure whether Molotov spoke English," he recalled later. "He would look at us as we spoke, his face a complete deadpan. And when we stopped speaking he would say, without the slightest change of expression, 'Nokey.' No one really understood whether he means yes or no. It was usually no."

"By the time we got back to Washington to give our report, Roosevelt had died so we reported to Truman. For me it was the beginning of a long association and I was pleased to watch the new President grow to enormous stature in his high office."

It was during the Truman Administration that Mr. Blaustein suggested to Prime Minister Ben-Gurion that Israel should be an ally of the United States. At the same time, in 1950, he obtained from Mr. Ben-Gurion the historic statement clarifying the relationship between Israel and Jews in other free countries.

It eliminated any question of dual nationality, stating:

"Citizens of the United States are Americans and citizens of Israel are Israelis; this we affirm with all its implications."

Mr. Blaustein was a member of Mr. Truman's Advisory Board on Mobilization Policy during the Korean war, giving advice on petroleum matters. He did similar work during World War II.

President Eisenhower took into consideration the oil magnate's experience in high-level public affairs and appointed him to the United States delegation to the United Nations in 1955.

During his United Nations service, Mr. Blaustein became a close friend of United Nations Secretary General Dag Hammarskjöld.

HAMMARSKJÖLD MEMORIAL

Mr. Blaustein donated an \$85,000 statue in memory of the late Mr. Hammarskjöld which was installed in front of the United Nations building in New York.

Secretary of State Dulles said, after Mr. Blaustein had finished his United Nations work: "Our success in securing the Assembly's overwhelming indorsement of the United States position on important questions... was due in large measure to the persuasive arguments he brought to bear, and to his understanding of our foreign policy objectives."

One of these successes was the Assembly's rejection of a Soviet proposal that all refugees from Russia and other countries behind the Iron Curtain return "voluntarily" to their homeland.

"Of course," Mr. Blaustein said, "voluntary" was a euphemism. What they meant was forced repatriation. . . . My experience in dealing with the Russians, is that we must be as sure as we can that we are right and fair and always lead from a position of strength.

WORKED A LONG DAY

Mr. Blaustein, who worked sixteen to eighteen hours a day, also was one of the negotiators representing the Conference on Jewish Material Claims Against Germany when West Germany awarded \$822,000,000 to rehabilitate in Israel or elsewhere those who had been persecuted by the Nazis. West Germany also agreed to indemnify individual Nazi victims, Jewish and non-Jewish.

In 1960, he was instrumental in winning from the Krupp armament makers awards of \$1,300 for each slave laborer employed there during the war. "It is not very much for what they suffered but I imagine it will be an important amount to many of them," he said.

Mr. Blaustein was a philanthropist as well as a businessman and statesman. For five years, he was national president of the American Jewish Committee and was associated with Baltimore's Jewish charities since his middle twenties.

All this while he served as a director of Standard Oil Company of Indiana, Pan American Petroleum and Transport Company, Pan American Refining Company, Mexican Petroleum Corporation, Pan American Pipe Line Company, Carib Marine Corporation, Pan American Gas Company and the American Oil Company.

A 1968 study by *Fortune* magazine named Mr. Blaustein as one of the wealthiest men in America.

ONLY PARTIAL LISTING

This partial listing does not include his position with American Trading or in the management of the Blaustein building, the 30-story \$12,000,000 skyscraper he built at Charles and Fayette streets. It opened in 1963.

The glass and aluminum tower was reportedly built by Mr. Blaustein in a fit of pique after his proposal for the construction of One Charles Center, with a design by Marcel Breuer, was rejected in a spirited competition.

His building at One North Charles street was allegedly designed deliberately as a slight to be taller than One Charles Center.

He was active in community endeavors such as supporting the Baltimore Symphony. Speaking of culture, he said:

"A community must be well rounded and it must have character, in which culture plays a significant role." He called on business men to contribute, saying "it is incumbent upon them, even for the good of the business itself, to conform themselves with other aspects of community life."

In 1962, he was named to the board of the Dag Hammarskjöld trust and in 1963 was made a member of the Advisory Committee on International Business Problems.

In 1964, Mr. Blaustein received the Synagogue Statesman Award from the Synagogue Council of America and the Herbert Lehman Award for leadership in the development of Israel.

In March of 1965, he returned to European statesmanship. He went again to West Germany to confer with Chancellor Erhard and former Chancellor Adenauer on behalf of survivors of the Nazi rule, who could not file claims for indemnity by the 1953 deadline because they were in Iron Curtain countries. He also discussed diplomatic relations between Israel and Germany and the status of German scientists working in Egypt.

In all, he averaged three trips abroad each year on various missions.

The Blaustein story started in 1910 when Jacob, then 18, and his father, Louis, then 40, teamed up to form the American Oil Company. It started in an old livery stable at Clarkson and Wells streets. It was a horse and wagon, door-to-door concern.

Their one tank wagon carried 280 gallons of kerosene and Jacob would sit next to the driver and dart in and out of stores taking orders and making deliveries. The tank wagon was an innovation in the business, one of many made by the Blausteins.

Another more sophisticated development was the introduction of the first special anti-knock motor fuel which revolutionized the gasoline and automobile industry and made possible the use of the high-compression engine.

They also designed and opened the first drive-in gasoline station in the United States. Known as the Lord Baltimore Filling Station, Inc., it was located on Cathedral street.

"Until we got the idea," Mr. Blaustein recalled, "you had to service autos at the curb. It was a clumsy operation."

Up to that time, motorists bought from pumps which had no indicator so the customers did not know if he were getting the proper amount of gas.

The Blausteins rigged up a 10 gallon jar on top of the pumps with gallonage marked on the side. Then the motorists could, as the advertisement soon said, "See What You Get, Get What You See."

After a long and complicated litigation between the Blausteins and Standard Oil of Indiana, American Oil Company became a totally owned subsidiary of Standard in 1954. The Blausteins became large Standard Oil stockholders and Jacob was made a member of the board of directors.

Mr. Blaustein was born on September 30, 1892. He was married on June 10, 1925 to Hilda Van Lee Katz.

In addition to his wife, he is survived by a son, Dr. Morton K. Blaustein, of Baltimore; two daughters, Mrs. David Hirschhorn, of Baltimore; and Mrs. David E. Roswell, of Summerville, N.J.; a sister, Mrs. Henry A. Rosenberg, of Baltimore, and eight grandchildren.

FAREWELL TO THE SENATE

Mr. YARBOROUGH. Mr. President, on this final day of the 91st Congress, I wish to take a few moments of the remaining time to say farewell to the great institution of which it has been my privilege and honor to have been a part for nearly 14 years. In those years, I have had

the rare opportunity of playing a role in the golden age of social legislation in America. During this period of time, Congress has moved our country further toward the realization of the priceless American dream of equal opportunity for all than at any time in our history. To have been able to contribute to this great age of progress is an opportunity that comes to very few people and I shall always be grateful to the people of Texas for choosing me to be their voice during this time.

Although the Senate is the greatest legislative institution in the world, the essence of its greatness comes not from the Chamber, the process, or the procedures, but from the men who serve in it. America is blessed with being represented by more creative and dynamic individuals in the Senate than in any legislative body in any other country in the world. Every reasonable point of view and philosophy is represented here by people of the highest integrity who work diligently for the benefit of the people. Unlike so many segments of our society, these diverse views and philosophies exist together in a congenial atmosphere of fierce competition. Despite the sharp differences on issues and approaches to problems that develop in this body as the great issues of the day are debated, the Members of the Senate have always remembered the advice of Edmund Burke that in being patriots we must not forget to be gentlemen. This truly democratic approach to our Nation's problems is what makes service in the Senate such a pleasure. The rest of our country could benefit from the example set by this body.

During my years in the Senate, it has been my privilege to serve with some of the truly great statesmen of this country. The three Kennedy brothers, Lyndon Johnson, BARRY GOLDWATER, HUBERT HUMPHREY and MIKE MANSFIELD, Wayne Morse, and Paul Douglas, the great Everett Dirksen, Lister Hill—the guardian of the health of the Nation, Senator Estes Kefauver, just to name a few.

However, during this 91st Congress it has been especially pleasing to me to serve with the very able members of the Labor and Public Welfare Committee. These dynamic men of both parties have made my job as chairman of the full committee much easier and have enabled the committee to continue its great tradition of service to the needs of the people.

Time after time, they put aside their own philosophical beliefs and partisan positions, and worked together to produce legislation which would improve the quality of life in America. To each of them, I wish to say thank you from the bottom of my heart for the help and cooperation they have given me. These distinguished champions of the people are: Senators JENNINGS RANDOLPH, HARRISON WILLIAMS, CLAIBORNE PELL, EDWARD KENNEDY, GAYLORD NELSON, WALTER MONDALE, THOMAS EAGLETON, ALAN CRANSTON, HAROLD E. HUGHES, ADLAI E. STEVENSON III, JACOB JAVITS, WINSTON PROUTY, PETER DOMINICK, GEORGE MURPHY, RICHARD SCHWEIKER, and WILLIAM SAXBE.

I also wish to add a personal note of thanks to the ranking minority member of the committee the distinguished Sen-

ator JAVITS, for his help, advice, and cooperation. He has been an able partner in my fight for beneficial social legislation, in the fields of health, education, civil rights, and other fields.

I am also grateful to the distinguished chairman of the Appropriations Committee, Senator RUSSELL, for his many courtesies to me and for allowing me to secure funds for many important programs and projects for the people of my State of Texas. My work on the Appropriations Committee has been one of the high points of my career in the Senate.

I cannot leave the Senate without paying tribute to the distinguished majority leader, Senator MANSFIELD, and the distinguished majority whip, Senator KENNEDY. Despite the great burdens of their offices, they have always gone out of their way to work with me and the members of my committee in passing the legislation we worked so hard for. Their efforts are evidence of their deep commitment to helping our people achieve a better standard of life. We are truly blessed to have men of their quality serving the public.

It would be a great oversight on my part if I concluded my remarks without mentioning the work of my personal staff and my committee staff. After my defeat in May, these dedicated men and women did not give up but rather stayed with me and continued to fight the people's fight, even though it cost many of them valuable job opportunities. I shall never forget their efforts nor will the people of my State cease to benefit from them. I give a special note to my son, Richard Yarbrough, who faithfully remained with me for 10 years as legislative assistant, during which time so much of the progressive legislation I sponsored was passed.

The privilege of serving in this great body was given us by the people of Texas, who three times elected me to the Senate, giving me the opportunity to serve 13 years and 8 months, a longer period of time than any except four of the 26 Senators who have served Texas since it became a State.

For my election, with little money and less press support, I owe thanks to many thousands of dedicated volunteer workers, without whose help I could never have been elected.

Foremost among those who sacrificed for me were my beloved wife Opal, and my eight brothers and sisters, with their spouses and children. They sacrificed much, she and everyone, the call even of blood relationship. To my family, the heritage of physical strength, character, and mental stability, the habit of work and a belief in justice, I owe to my beloved late father and mother. All my brothers and sisters helped mold my life, and they have put their good names and family position in the lists with me time after time.

I am not a self-made man, I am a product of my family, my heritage, my environment, my area, the inspirational teachers I had in school, from the primary through the University of Texas. With their aid I have tried to build on the foundation they gave me. I hope and believe that my service here has been of benefit to my State and Nation, to our

society and to civilization and our environment, so believing, I pay tribute to my own heritage and environment.

In conclusion, Mr. President, my wife and I thank all of those Senators who have said so many kind things about us and who have shown us so many courtesies over the years. I leave this body with no regrets and with a heart full of love for those who continue to serve here. As you face the challenge of the new year and the new Congress, be assured that you are always in my thoughts and prayers.

For 13 wonderful years, thank you.

TRIBUTE TO SENATOR STEPHEN YOUNG

Mr. NELSON. Mr. President, the retirement of Senator STEPHEN YOUNG, brings to an end the distinguished and colorful career in the U.S. Congress.

The progressive Ohioan always showed a marvelous independence and a zestful, and often acid sense of humor. He never hesitated to speak out toughly in a manner that earned him the enviable reputation as a man who was honest to his convictions and who "pulled no punches."

His own political career was that way. In 1958 he won his Senate seat from the distinguished Senator John Bricker when the best political experts were predicting his defeat. In 1964, he was reelected running against the powerful Ohio political name of Taft, while all the political experts were predicting his defeat.

In the Senate, Senator YOUNG dynamically reminded America of its yet unfulfilled obligations to the poor, the blacks, and the other disadvantaged groups in our society. He was early in his opposition to the war in Vietnam and spoke out angrily against the senseless and tragic shootings at Kent State University in his home State.

Senator YOUNG's dedication and independence will be missed in Congress and I hope he will continue to spread out in his special dramatic fashion in the years to come.

A TRIBUTE TO JUDGE SIMON ERNEST SOBOLOFF

Mr. TYDINGS. Mr. President, on December 31 of this year Judge Simon Sobeloff, U.S. Court of Appeals for the Fourth Circuit, will accept senior judge status, thus stepping down as a fully active member of the Federal judiciary.

Judge Sobeloff is surely one of the giants of the legal profession. As an attorney, as a judge, and as a man Simon Sobeloff has displayed the qualities of wit, wisdom, compassion and intelligence that are the marks of greatness.

Few in Maryland are unfamiliar with the achievements of Simon Sobeloff. He is truly one of Maryland's finest sons. Born in Baltimore and educated in the Maryland public schools, Judge Sobeloff worked his way through the University of Maryland Law School. After law school the list of his achievements cannot fail to impress even those only casually familiar with his record of public service. He served successively as assistant, deputy and city solicitor of the city

of Baltimore, as U.S. attorney for Maryland, as chief judge of the Maryland court of appeals, as Solicitor General of the United States and as associate, and chief judge of the U.S. Court of Appeals for the Fourth Circuit. Moreover, his influence went far beyond the achievements signified by these official titles. He was the trusted advisor and confidant of many public figures, including President Dwight D. Eisenhower.

As an attorney, and a judge and a public servant, Simon Sobeloff has won the respect of all of those who have had the privilege of dealing with him, including the most downtrodden litigant to appear before him. Indeed, Simon Sobeloff's finest work arose from his deep feeling and appreciation for the rights and liberties of all Americans.

I am certain that as a senior judge, Simon Sobeloff will continue to serve his country with the brilliance, the humanity and the vision with which he has served so long.

TRIBUTE TO SENATOR McCARTHY

Mr. NELSON. Mr. President, for more than 20 years Senator EUGENE McCARTHY served the people of Minnesota and of the Nation in the U.S. Congress.

Senator McCARTHY's career has been one of special achievement and distinction during the 10 years he served in the House of Representatives and the 12 years he worked in the Senate.

Senator McCARTHY has been a good friend from the neighboring State of Minnesota and I watched his special brand of independent leadership develop from Congressman to presidential candidate.

To many people all across the country and throughout the world, Senator McCARTHY will be remembered for his courage in the early opposition to this country's expanding commitment in the South Vietnamese civil war.

Senator McCARTHY's name has a special meaning, however, to the youth of this Nation who saw in him a commitment to responsible government and the courage to take his convictions to the country.

The U.S. commitment to the war in Vietnam now seems to be coming to an end. But when Senator McCARTHY started speaking out against the American involvement in that tiny Southeast Asian nation, there were very few who stood beside him and virtually the only voices in opposition were heard from the youth who had to fight and die there.

Senator McCARTHY is leaving the Senate and his voice will be missed. It is doubtful, however, that that will be the last the Nation will hear from Senator McCARTHY. The Minnesota Senator is too dynamic and committed a man to stay silent for very long on the significant issues that face this country.

REPORT TO THE PEOPLE OF MISSISSIPPI FOR 1970

Mr. STENNIS. Mr. President, as we reach the end of the calendar year 1970 and the completion of the second session of the 91st Congress, I wish to make a

report to the people of the State of Mississippi as to those matters to which I have devoted particular effort, and what has been accomplished.

I have great respect for the responsibilities vested in me by the citizens of Mississippi, and am pleased to have this opportunity to make a report of my efforts to them, and to record same in the CONGRESSIONAL RECORD.

I warmly thank my constituents for the trust they have placed in me, for their unfailing support and assistance to me in carrying it out, and for electing me to serve a fifth term in the Senate. I am also indebted to the other members of the Mississippi delegation in Congress, whose cooperation and help I deeply appreciate.

My colleagues in the Senate have offered me many courtesies and frequent assistance, and I am grateful for the privilege of working with them to reach solutions to our national problems. The staff of my office, and the staffs of the committees on which I hold membership, have demonstrated competence and loyalty, and a proper determination to help me be of service to the people of our State and the Nation. My family and friends have sustained me, and I have been fortunate to be blessed with good health and spiritual support. For all of this, I am deeply grateful.

The year 1970 has been a deeply troubled one for our country, perhaps more so than any year in memory. We have had bitter internal strifes, grave economic problems, difficult foreign situations, and the continued burden of a war from which we are gradually withdrawing, turning it over to the people we have been defending, now that they are armed and trained to undertake their own defense.

However, there have been many accomplishments in the Nation, and in the Congress. Of those in which I have been privileged to have a part, I report herewith to the people of Mississippi under several subjects and activities.

A SINGLE NATIONAL POLICY ON SCHOOLS

During 1970 I continue to devote a great deal of effort to drawing national attention to the fact that this Nation has two standards of school desegregation. One is imposed on the South by the Federal courts, the Department of Health, Education, and Welfare, and the Department of Justice. The other exists throughout the rest of the country, almost entirely ignored, deliberately tolerated because the stern measures imposed on the South would be unacceptable in the North, East, and West.

The reason that I have fought for a single policy on school desegregation is, of course, that if all the country were asked to impose in their own communities the rules they demand of the South, the people would reject them out of hand, and would soon let the Congress and the administration know this. The result would be, I believe, that when a single national policy became adopted, it would have to be one of moderation. It would have to recognize the fallacy in attempting to use schools as instruments of social change, of destroying children's educational opportunities by insisting on

balancing races in schools, and ignoring the neighborhood school concept. In my view the single national policy is the best approach we can follow to be permitted to rebuild the public school system in the South so that it can properly perform its functions.

With the intent, therefore, of exposing the national hypocrisy of having a dual standard, I made a series of speeches on the Senate floor last fall and winter, in which I pointed out in terms of specific facts the highly segregated school systems that are accepted without question in the most populous States in the Northeast, the Middle West, and west coast. This focusing of the public spotlight on these situations appeared to cause considerable discomfort, and of course elicited replies. Since the facts could not be disputed, the replies generally defended school segregation outside the South as justifiable because of being de facto or caused by housing patterns, and not de jure, or based on vestiges of dual school systems established by law. In other words, segregation outside the South was acknowledged, and the claim made that nothing could be done about it. This was not lost on the news media, and there was considerable national exposure of the situation, and a growing realization that the country does in fact have two school policies, and not one.

These speeches from October to December paved the way for the actions I took in January 1970, when the Senate was scheduled to consider the authorization bill for public school assistance programs, the Elementary and Secondary Education Act.

On January 27, I introduced my amendment No. 463. During the subsequent debates, which lasted until April 1, this amendment became known in the Congress and in the national press as "the Stennis amendment."

I attempted to write my amendment in very brief, clear language, to make its intent unmistakable. It said simply that there shall be a single national policy, applied uniformly in all regions of the United States, in dealing with conditions of segregation by race in schools, without regard to the origin or cause of such segregation.

Between January 27 and February 18 my amendment was debated very extensively, for it became apparent that the issue had simple justice on our side, and that the practice of skillfully avoiding in the North the procedures that have been forced upon the South was about to come to a clear and open vote in the Senate. During this time my amendment was strongly supported by southern colleagues in the Senate, by others from the West, and by one northern Senator who forcefully acknowledged that the situation represented a monumental hypocrisy in the north. I am glad to say that when my amendment came to final vote on February 18, we were joined by many Senators from outside the South, and the amendment was passed by a vote of 56 to 36. For a time, at least, we had achieved a long-sought objective, and a single national policy on school desegregation had become a legislative practicality.

However, the Stennis amendment was, of course, not in the House version of the education bill when it was passed by the body. This meant that it became a matter to be resolved in a joint conference committee, and I did not have much hope of it surviving that process uncompromised. It was too much to expect it to come out as the same clear mandate for the North to act in accordance with the demands it had made on the South, which in effect would have meant that they would moderate those demands until they would meet acceptance by northern communities and northern parents.

The report of the conference committee came back to the Senate on March 24, and was adopted on April 1. It did, of course, compromise my amendment. They wrote it to sound imposing but mean little, other than to officially sanction the double standard of de facto and de jure. I might add that the compromise wording was singularly similar to the policy statement made by the President on March 24, the day the conference report was released.

So it would appear that many months of effort had come to nothing. I believe, however, that this is not the case. The long exposure of the true facts in the debate in the public forum surely have made it impossible for any American to deny that there are two standards. No longer can a northern speaker belabor the South on desegregation without raising in the minds of his listeners the question of what he proposes to do in the North, and this certainly has the effect of lessening the temptation to speak on the subject. No longer can the courts completely ignore the dual standard, for it is too much in the public mind, and too present in the public conscience. It is too clearly a matter of justice, and I believe in the American public's sense of justice.

It will take time to correct this situation—time we bitterly begrudge, while our schools are practically destroyed. But I think and hope that in time we will have a single national policy; and because everyone will have to follow it, it will have to be moderate, practical, sensible, and be aimed at the true purpose of schools, which is to educate children.

NATIONAL FOREST FUNDS FOR SCHOOLS

Federal law provides that counties which contain national forest land shall receive a share of the forest income. One-fourth of the money received by the forest for timber sales, grazing, mineral sales, and other income is divided among the counties concerned, according to the acreage of national forest land within the counties. The money paid each county is to be divided equally between schools and county roads.

We have six national forests in Mississippi, involving lands in 33 different counties. The income of the national forests is substantial, especially from timber sales, and the returns to counties in Mississippi are among the highest in the United States. For fiscal year 1970, the money divided among the counties was \$1,347,728.

For several years we have had a problem in connection with that part of the money which was to be paid our schools. Beginning with fiscal year 1967, the Fed-

eral Government wrongfully withheld money from certain of our county schools under the provisions of title VI of the Civil Rights Act of 1965. The money, which normally would have been paid to the schools through the State treasurer, was impounded on the ground that the schools of those counties were not properly integrated. I contended at every turn the money from forest sales belonged to the counties under general law that had no relation whatsoever to the Civil Rights Act.

For 4 years, I have been endeavoring to obtain the release of these impounded funds. I am glad to say that as of November 23 of this year, the last of the money was released, and paid to its rightful recipients, the county school districts.

THE DISASTER ASSISTANCE ACT OF 1970

After Hurricane Camille struck our gulf coast in August of last year, I introduced a bill to provide disaster assistance. Various provisions of my bill, and those of Senator EASTLAND and Mississippi House Members were considered by a conference committee of the Senate and House Public Works Committees, and formulated into the Disaster Relief Act of 1969, which was signed into law by the President on October 1, 1969.

This was far quicker legislative action than had ever been taken in a natural disaster of this kind. There were certain provisions in my bill, however, which were not incorporated in the act of 1969; and it was agreed at the time, on the Senate floor, that these aspects would be considered by the Senate Public Works Committee, in hearings to be held within a few months, and if then adopted by the Senate in a subsequent bill, they could be made retroactive to cover Hurricane Camille. The most essential element which I felt should be so treated was one which would assist communities which had suffered such a heavy loss in their tax base that they had no way to finance their local governmental activities.

This year the Senate passed the Disaster Assistance Act of 1970, on September 9, 1970, and sent it to the House for action. The bill is intended to be permanent legislation, to cover all future natural disasters, and I was a cosponsor of the bill in the form in which it passed the Senate. I am glad to say that it gives consideration to the situation about which I was so concerned at the time of the 1969 act. The 1970 act provides grants for local governments, which suffer a substantial loss of tax base in a natural disaster, to finance their governmental activities, over a period of 3 tax years beginning with the year in which the disaster occurred. The effective date of this section was made retroactive to August 1, 1969, so as to include Hurricane Camille. This is very important to our coastal region and much constructive development has come and more will come from this law.

FEDERAL ASSISTANCE FOR RURAL ROADS

In 1949, I introduced a bill to extend Federal highway aid beyond the secondary highway system, to rural county roads. My bill as an amendment was incorporated into the Federal-Aid Highway Act of 1950, and has remained a part

of the national highway program since that time.

I am pleased to say that the Federal-Aid Highway Act of 1970, which was passed by the Senate in October, continues to authorize this system of improved roads to serve rural communities. This has been a tremendously important program to our State. Since 1950, several thousand miles of secondary rural roads in Mississippi have been improved or constructed, by investment of over \$214 million. Almost half of this was money from Federal funds that came through my amendment of 1950. This program is known in Mississippi as the State aid road and is administered by the State highway department and the local board of supervisors in each county. The boards have done an outstanding job. I shall continue to see that the amendment of 1950 is reenacted in each Federal Aid Highway Act.

PUBLIC WORKS APPROPRIATIONS

I enjoy the opportunity to serve on the subcommittee of the Senate Appropriations Committee which handles the funding of public works. Our water resources in Mississippi are a very important part of our natural heritage, and their systematic and timely development is essential for the growth of our economy and the wellbeing of our people. The two Federal agencies which have the most to do with water resources, for navigation, flood control, water supply, water quality control, and recreation, are the Corps of Engineers and the Tennessee Valley Authority. The appropriations for these two agencies are under the jurisdiction of the subcommittee to which I refer.

I think we have had excellent success this year in the funding of the water resources projects that are of particular importance to Mississippi.

One of the projects which has vast potential for Mississippi is the Tennessee-Tombigbee Waterway, which will run generally north and south along the eastern part of the State, and will provide barge navigation connecting Pickwick Lake on the Tennessee River with the existing Tombigbee-Warrior system which leads to Mobile. This year we obtained the first construction money for this project, in the amount of \$1 million. This is an extremely important step, for it is just the first one on the way toward a vast project which will take about 9 or 10 years to fully complete. For the next fiscal year, I am vigorously pushing for a substantial increase up to 6 or 8 million dollars for further substantial construction. This project must move forward.

Last year the Congress provided \$200,000 for the engineering design of Tallahala Reservoir, in Jasper County. This money was not spent by the administration, for reasons of fiscal restraint, but it was carried over to this year, and the Congress added \$100,000, for a total of \$300,000. The start of design means we can now expect steady progress toward construction and completion of this dam and reservoir, which will provide water supply, flood control, and recreation. Congressman WHITTEN and I have teamed up on this following his initiation of the important project.

For the flood control project on the Tombigbee River and tributaries, \$350,000 was carried over in budgetary reserve by the administration. This has been released, and the Congress has raised the amount to \$1.7 million. This will give a strong start to this project, which will take several years to complete.

Approval was given this year for a total of \$1,250,000 for Yellow Creek Port. This project is jointly sponsored by State agencies and TVA, and is to be built as a barge traffic terminal on Pickwick Lake, in Tishomingo County. This project will be an economic boost for northeast Mississippi, and with the money now available we can hope to see it completed in as little as 3 years. Congressman JAMIE WHITTEN and I have paired up on this important and valuable project following its initiation by him in the House.

The largest expenditures for water resources development in Mississippi are made each year for flood control and navigation channel work on the Mississippi River and its backwater areas. This work is funded under the Mississippi River and tributaries project, to cover work in the several States of the Lower Mississippi Valley. This project is crucial, of course, for the mainstem level system protects us at high water and the channel work gives us barge navigation during low water. I think that the present sum is reasonably adequate, but I hope to see that figure increased in future years.

Other important funds include those for the Jackson and East Jackson flood control project, money for maintenance of our gulf coast ports, and for our Mississippi River ports.

We are fortunate to be a water-rich State, and this fact will play an important part in our economic future. We must insure that the water resources are developed, year by year, in a systematically planned manner, as for example in the plans for the Pearl and Pascagoula basins, which are discussed elsewhere in this report, and for the Big Black, the plan for which was completed 2 years ago. With proper planning and appropriate controls on pollution, we can have economic prosperity and still maintain the quality of the environment that we all enjoy.

As a member of the Appropriations Committee I have pushed these and other water projects, and some which are completed, for many years, and shall continue to do so to the limit.

PEARL RIVER BASIN STUDY

A comprehensive plan for the long-range development of water and related land resources of the Pearl River Basin has been completed in draft form by a Federal-State committee. Participants were the States of Mississippi and Louisiana, and the Departments of Army, Agriculture, Interior, HEW, Commerce, Transportation, and the Federal Power Commission.

A public hearing was held at Jackson on September 9, 1970, at which the plan was presented to the public, and comments invited. After revisions and refinements are completed, the State-Federal Interagency Coordinating Committee will forward the report to the

Water Resources Council in Washington for approval.

The plan projects water resource needs in the basin of the Pearl River and its tributaries until the year 2015. As in the case of the similar study in the Pascagoula Basin, an overall, long-range plan is established, for general guidance, to be updated periodically. An early-action defines the anticipated needs of the next 10 to 15 years. The projects in the early-action plan would be the subjects of specific authorizing reports to Congress in the next 2 or 3 years. After authorization by Congress, they would become eligible for funds for design and construction, through the annual public works appropriations bills.

The early-action program for the Pearl River Basin includes a navigation boatway, three Federal multiple-purpose reservoirs, and 30 federally assisted upstream watershed projects.

The Pearl River boatway would include 302 miles of cleared and snagged channel, from the mouth of the Pearl to the vicinity of Edinburg in Leake County, for use by recreational boaters. Eighty-two associated recreational areas, with boat ramps, would be provided. In the long-range plan, the boatway would be expanded into a commercial navigation barge channel as far as Jackson, and would include eight new navigational locks.

The three major reservoirs would be Ofahoma, in Leake County; Edinburg, in Neshoba County; and Carthage, also in Leake County. First costs for the three reservoirs would total \$79.3 million; for the headwater watershed project, \$87.3 million; and for the Pearl River boatway, \$6.4 million; or a total of \$173 million for the early-action program.

Naturally, I am pleased with the results, so far, of this far-reaching water resources study. It has taken a number of years of effort to obtain authorization for the basin study, and funds to carry it out. There is much yet to be done. This year I expect the study to be finalized, and it should then go to the Water Resources Council for approval. Thereafter, it will be a matter of obtaining funds for the preparation of authorizing reports for the specific projects, getting the reports approved by the Public Works Committee for inclusion in an omnibus bill, and then getting design and construction funds.

I intend to devote my all out and vigorous efforts toward these projects year after year as in the past, and press for rapid development. They will have tremendous effects throughout the Pearl River Basin and in our State as a whole.

PASCAGOULA RIVER BASIN STUDY

A comprehensive plan was prepared by a Federal-State committee for the long-range development of the water and related land resources of the Pascagoula River Basin. The participants in the study were the States of Mississippi and Alabama, and the Departments of Army, Agriculture, HEW, Interior, Transportation, and Commerce, and the Federal Power Commission. The plan received final approval from the Federal Water Resources Council on April 15, 1970, and was transmitted by the President to the Congress on that date.

The plan projects water resource needs in the basin of the Pascagoula River and its tributaries until the year 2015. To meet these demands the study establishes an overall plan, which will be reviewed and updated periodically, and an early action plan. The latter consists of projects which are necessary over the next 10 to 15 years, and it is this element of the comprehensive plan that is of immediate interest to our citizens, and to the Federal agencies which must build these projects. Those agencies are beginning preparation of authorizing reports on the early action projects this fiscal year, for submission to Congress. When the Congress authorizes the projects specifically, they become eligible to receive funds for design and construction. Other projects in the early action are planned to be constructed by the State and local interests.

The early action plan contains four new major reservoirs which, when authorized, would be built by the Corps of Engineers, and 17 upstream watershed projects which would be federally assisted, under the auspices of the Soil Conservation Service.

The four reservoirs would cost \$121,647,000, and the upstream projects \$33,373,000. The reservoirs are Harleston in George and Jackson Counties; Taylorsville in Smith County; Bowie in Covington County; and Mize in Smith County.

This sum of money, over \$150 million, will be very important to Mississippi, and the water resource projects will have tremendous economic effects. I am very pleased to have the basic plan approved by the Water Resources Council, and intend to press vigorously for authorization and finally the money for each of the projects by Congress as soon as possible.

In the years ahead, I believe that water transportation, waterways as sites for industrial development, natural and man-made lakes and reservoirs, as well as natural rainfall will be our State's greatest assets. I am determined to do my part in the development.

WATERSHED PROJECTS

The Soil Conservation Service program for watershed projects provides technical and financial help for land treatment and structures for flood prevention, fish and wildlife development, recreation, and water supply in upstream watersheds up to 250,000 acres in size. These developments have been used with great effectiveness in Mississippi, and the program can be expected to be a continuing effort over many years as land uses are more fully developed.

During 1970, Federal funds in the amount of \$1,776 were invested in watershed projects in Mississippi, together with substantial amounts contributed by our local watershed development districts.

The watershed program has a substantial effect not only on our agricultural activities but on our economy as a whole. It will continue to have my strong support and my continued careful attention. It is a vital element in the development of our water resources and their related land uses for the long-term growth and prosperity of Mississippi.

APPALACHIAN REGIONAL DEVELOPMENT

In 1967 I undertook a strong effort to have the northeastern counties of our State designated as a part of the Appalachian region, so that they might receive the economic benefits established under the Appalachian Regional Development Act of 1965. I testified before the Senate Public Works Committee, got them to reconsider their first action which denied Mississippi admission and later got it approved by the Senate. The members of our congressional delegation got the amendment passed by the House and thus the 20 northeast counties were included under the act.

The Appalachian program is carried out by the Appalachian Regional Commission, which consists of the Governors, or their representatives, of the 13 States of the area, and a Federal member appointed by the President. The States prepare proposals aimed at economic development of all kinds. If these are approved by the Commission, then they receive special Federal funding. The projects can include roads, health projects, educational facilities, water resources projects, airfields, public utilities, and other works designed to stimulate economic growth.

Accomplishments under this program have been very impressive. Since 1967, Mississippi projects with a total cost of \$20,779,000 have been built. Of this sum, over \$13 million was in Federal funds. The projects included such work as the Golden Triangle Regional Airport, buildings at several colleges and universities, libraries, and public utilities in many locations. Eleven projects were approved in 1970, and number of others are under active consideration. In addition, access roads in a total amount of \$8,573,000 have been built.

This is an excellent and needed program for the 20 counties that are included in it, and I am vigorously supporting the creation of similar development regions which would cover the rest of the State.

RURAL WATER AND WASTE SYSTEMS

The rural water and waste system program of the Farmers Home Administration is particularly important to Mississippi. Under this program, nonprofit organizations or local public bodies can obtain grants and loans to plan and construct water and sewer systems in rural areas and in towns of a population of 5,500 or less.

On a per capita basis, I am proud Mississippi is the leading user of this sound and useful program, and in total grants and loans to date ranks second among the 50 States.

During calendar year 1970, grants were made in the amount of \$2,207,000, and loans in the amount of \$11,959,000.

These are imposing figures, and the money is accomplishing a great deal for many of our communities. Nevertheless, more Federal funding is badly needed. In Mississippi alone, we have an unfunded backlog of \$30,000,000. Throughout the past several years, I have had a major part in substantially increasing the annual funding of this fine rural program, and I am pledged to continue those efforts with vigor.

As I have indicated elsewhere in this report, under agriculture appropriations, the effort to increase the funding has been particularly successful this year in the committee and on the Senate floor, and this should have substantial effects in our State during 1971. Money spent in this way is a constructive instrument and will pay big dividends in the future. This is the very opposite of the giveaway programs.

WATER QUALITY IMPROVEMENT

The Federal Water Quality Administration has the primary Federal responsibility for improving the quality of the water in our rivers, lakes, and coastal areas. This agency works with our Mississippi Air and Water Pollution Control Commission in Jackson in establishing water standards, and endeavors to encourage all efforts aimed at keeping waters at maximum possible cleanliness.

Among other actions, the Water Quality Administration awards grants to municipalities for the construction of waste treatment plants. These grants finance 30 percent of the costs of the plants. Actions now under consideration in our State government may in due time make it possible for the Federal grants to be as high as 50 to 55 percent of the project cost.

I am glad to be able to say that I have stayed in close touch with the applications from Mississippi for these grants, and that we have been quite successful in obtaining Federal funds. Since January 1, \$4,400,000 in Federal funds has been made available for sewage treatment plants in our State. These grants will stimulate projects having a construction cost of over \$14 million.

I hope that in 1971 and future years we can continue to increase this excellent and essential program, so that as our economy and population grow, we will be getting the maximum financial assistance from all appropriate Federal agencies in preserving the cleanliness of the waters of our State.

URBAN WATER AND WASTE SYSTEMS

The urban water and waste systems programs of the Department of Housing and Urban Development are similar to the rural systems of the Farmers Home Administration, but are used in towns of a population over 5,500.

Mississippi has made good use of these programs during 1970. Federal funds in the amount of approximately \$3,500,000 have been made available to share in the cost of new water and sewer systems in our larger towns, of which about two-thirds is in loans and one-third in grants. The projects are in 10 cities, in as many different counties.

We have in Mississippi ample amounts of clean water. We must see that it is kept clean, and that it is adequately distributed for industrial and domestic water supplies. If we are to do this, we must take advantage of all of the Federal programs that are available for water and waste systems, of which this Housing and Urban Development program is but one. Others include the Farmers Home Administration, the Economic Development Administration, the Federal Water Quality Administration, and, for parts of our State, the Appalach-

ian Regional Development Administration. I am doing my utmost to give all possible assistance to the processing of applications for grants and loans for utilities systems under these programs. This effects our industry developments in future years.

ECONOMIC DEVELOPMENT PROJECTS

The Economic Development Administration in the Department of Commerce was established by the Congress in the Public Works and Economic Development Act of 1965. Its purpose is to assist in developing the economy of areas which may have family income rates that are lower than average, or where unemployment may be consistently high. The EDA does this by making business loans for potential industrial facilities, and by making grants and loans to local governments for public works which will provide the necessary utilities to encourage economic expansion.

During the calendar year 1970, public works projects in Mississippi received \$18,242,000 in grants and \$926,000 in loans. To develop private businesses, EDA loans were made to individuals and corporations in the amount of \$7,040,000. As the year drew to a close, additional applications for \$6,560,000 in public works money were under review with a good chance of approval.

Again, these are excellent programs, and we need to use them to the maximum in developing our State. I am glad to have helped in these matters, and am pleased at the extent of success we have had to date.

MISSISSIPPI TEST FACILITY

With the approaching conclusion of the Saturn rocket program of the National Aeronautics and Space Administration, it was apparent that unless something were done about it, the Mississippi test facility, in Hancock County, would be closed down, and cease entirely to be an operating installation. The MTF, as it is called, in conjunction with a NASA computer center at nearby Slidell, La., had been the testing ground for all of the Saturn rockets, which after test firing were then shipped by barge to Cape Kennedy for space shots.

The closure of MTF would have been, in my judgment, an uneconomical action from the point of view of the Federal Government, which had made a very substantial investment at the facility. Available there for other uses was an area of 13,250 acres, with some 60 buildings and structures, including laboratories and shops of all kinds. Further, it appeared very important that the test stands and accompanying piping and instrumentation should be preserved, against the day when Saturn or similar rockets might again be in the program.

Besides the national interest in making the best use of an existing facility, it is obvious that to completely phase out the MTF would be a disastrous economic blow to the southern part of our State.

Accordingly, I have devoted much time and effort in trying to interest various Federal agencies, as well as other activities, in locating programs at MTF and using the Slidell computer facilities as well. I am glad to say that with the help of colleagues in the Senate and

House, we have had some success in this effort, and expect additional accomplishments as time goes on. Certainly, it is now assured that MTF and Slidell will not close, but will continue to operate, with several diversified programs.

The transitional period, with NASA phasing out as other agencies were planning to move in, appeared to be very critical. Accordingly, I worked for the inclusion of a sum of money in the NASA appropriation for this fiscal year which could be used to provide support services at MTF for other Federal programs. This effort was successful. The money has been appropriated, and will be very useful in the establishment of new work at MTF.

The National Data Buoy project, operated by the Coast Guard under the supervision of the National Oceanic and Atmospheric Administration of the Department of Commerce, is firmly committed to the use of part of the facilities at MTF. This program is an element of the research effort toward better understanding, prediction, and control of conditions on the surface of the sea and under it.

The Bureau of Commercial Fisheries has announced that it will locate one of its newer programs at MTF. It is aimed at management of offshore fisheries, using remote sensing data obtained from aircraft and satellites.

The Department of Commerce has firm plans for the permanent location of the Mississippi River Flood Forecast Center at MTF, and is planning on other programs there in the future. One is part of an observational program on meteorology and pollution, and one is concerned with tropical oceanographic experiments.

The Atomic Energy Commission is considering placing two new programs at MTF. One involves development of electric power for future space missions, and one would be a demonstration facility to allow industries to test uses of certain new AEC developments.

Discussions are underway concerning a solid waste treatment laboratory for the new Environmental Protection Agency, and an estuarine laboratory. If the gulf environmental program materializes, Gulf Universities Research Corp., a group of universities in the United States and Mexico, may well use MTF. Various private industries are also considering the ways in which MTF facilities might be used on a reimbursable basis.

Continued effort on the part of your delegation will be needed to insure that MTF is properly utilized, but this effort is needed on behalf of the southern part of our State, and it will continue to receive my close attention and active support.

MERCHANT MARINE PROGRAM

Because of our fine Mississippi deep-water seaports, our many maritime commercial enterprises, and our large, modern shipbuilding facilities, I have taken a strong continued interest in the merchant marine program of the United States. In addition, of course, there are reasons of national interest for supporting a revitalized merchant marine, such as national defense and balance-of-payments aspects.

This year, I am glad to say, the Congress has passed an act which will revitalize our merchant fleet by a shipbuilding program of 300 ships, over a 10-year period. Federal subsidies are provided in order to make this program possible.

Our U.S.-flag fleet is now 967 ships, of which only 650 are in foreign trade. It would decline to 310 ships by 1980 if none were built. Our fleet now ranks fifth in the world on a tonnage basis.

The impact of the new shipbuilding program will begin to be felt in 1974, which is the same year the last of the World War II vessels will be phased out. I am pleased with the new legislation, and confident that its effect will have significant benefits in our gulf coast ports and to shipping oriented industries statewide.

COMMITTEE WORK

The preceding headings have dealt with subjects which I consider to be of particular importance and of special interest to Mississippians. They do not of course include many other legislative matters in which I have been involved. They touch only briefly on my committee duties which I welcome because they afford many opportunities for constructive accomplishments that benefit our Nation and our State.

I serve as chairman of one of the major committees of the Senate, the Armed Services Committee, and the Preparedness Subcommittee. I chair the Select Committee on Standards and Conduct for the Senate, and serve as a member of the Aeronautics and Space Committee, which is a major committee. As a member of the Appropriations Committee, I chair one subcommittee and serve on six others. In this capacity it also falls my duty to serve often on important conference committees which resolve differences between the Senate and the House in appropriations bills and in fact write the final form of the bills.

These assignments are time consuming, but they enable me to work closely with detailed legislation when it is in the formative stages, and frequently to insure that our State is not slighted in any way in the many national programs. It is time well spent, and I am pleased to have the chance to serve in such a broad variety of committee assignments.

CONCLUSION

Looking back on 1970, I think this year has been a productive year in the Senate, though in many ways a very difficult one. I believe the groundwork has been laid for many other constructive actions that will be pursued in 1971. I look forward to the challenge, and will devote my every effort to meeting it.

Finally, I want to thank the people of Mississippi. They keep me informed, and stimulate my attention to matters which interest and trouble them. They give me their loyalty and receive mine. I am deeply grateful to them for all that they do to help me, and thankful when I can help them. With this inspiration to sustain me, I look forward with anticipation to 1971 and the first session of the 92d Congress.

RECESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate stand in recess for 2 minutes, for the purpose of welcoming the new Senator from California.

The PRESIDING OFFICER (Mr. STEVENSON). Without objection, it is so ordered.

At 2:01 p.m., the Senate took a recess for 2 minutes.

On the expiration of the recess, the Senate reassembled, and was called to order by the Presiding Officer (Mr. STEVENS).

ROLLCALL ATTENDANCE RECORD OF SENATOR BYRD OF WEST VIRGINIA

Mr. BYRD of West Virginia. Mr. President, there have been 422 rollcall votes in this session. I gave 24 live pairs and actually missed six of these votes.

My rollcall attendance record for the year 1970, therefore, was 98.5 percent, even though I had to campaign for reelection as a Senator from the State of West Virginia.

My rollcall record of attendance during 6 years in the West Virginia Senate and House of Delegates, and my 6 years in the U.S. House of Representatives was 94.6 percent.

During my 12 years in the U.S. Senate, I have voted on 95.5 percent of all rollcalls. My Senate record is broken down as follows:

Year	Number of rollcalls	Rollcalls missed	Percentage of attendance
1959.....	216	5	97.6
1960.....	207	16	92.3
1961.....	206	3	98.5
1962.....	227	7	96.9
1963.....	229	20	92.0
1964.....	312	27	91.3
1965.....	259	20	92.3
1966.....	238	18	92.4
1967.....	315	2	99.4
1968.....	280	10	96.4
1969.....	245	7	97.2
1970.....	422	6	98.5
Total (12)....	3,156	141	95.5

AUTHORIZATION FOR THE PRESIDENT OF THE SENATE TO MAKE CERTAIN APPOINTMENTS AFTER SINE DIE ADJOURNMENT OF THE SENATE

Mr. MANSFIELD. Mr. President, I submit a resolution, and ask for its immediate consideration.

The PRESIDING OFFICER (Mr. STEVENS). The resolution will be stated.

The assistant legislative clerk read the resolution (S. Res. 506) as follows:

S. Res. 506

Resolved, That, notwithstanding the final adjournment of the present session of the Congress, the President of the Senate be, and he is hereby, authorized to make appointments to commissions or committees authorized by law, by concurrent action of the two Houses, or by order of the Senate.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

AUTHORIZATION FOR THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE TO SIGN ENROLLED BILLS AND RESOLUTIONS

Mr. SCOTT. Mr. President, I submit a resolution, and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated.

The assistant legislative clerk read the resolution (S. Con. Res. 89) as follows:

S. CON. RES. 89

Resolved by the Senate (the House of Representatives concurring), That notwithstanding the sine die adjournment of the two Houses, the Speaker of the House of Representatives and the President of the Senate, the President pro tempore, or the Acting President pro tempore be, and they are hereby, authorized to sign enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

The PRESIDING OFFICER. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the concurrent resolution was considered and agreed to.

NOTIFICATION TO THE PRESIDENT

Mr. MANSFIELD. Mr. President, I submit a resolution, and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated.

The assistant legislative clerk read the resolution (S. Res. 507) as follows:

S. Res. 507

Resolved, That a committee of two Senators be appointed by the Presiding Officer to join a similar committee of the House of Representatives to notify the President of the United States that the two Houses have completed their business of the session and are ready to adjourn unless he has some further communication to make to them.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

The PRESIDING OFFICER. The Chair appoints the Senator from Montana (Mr. MANSFIELD) and the Senator from Pennsylvania (Mr. SCOTT) as Members to notify the President, as required by this resolution.

THANKS OF THE SENATE TO THE VICE PRESIDENT

Mr. SCOTT. Mr. President, I submit a resolution, and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated.

The assistant legislative clerk read the resolution (S. Res. 508) as follows:

S. Res. 508

Resolved, That the thanks of the Senate are hereby tendered to the Honorable Spiro T. Agnew, Vice President of the United States and President of the Senate, for the courteous, dignified, and impartial manner in which he has presided over its deliberations during the second session of the Ninety-first Congress.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

THANKS OF THE SENATE TO THE PRESIDENT PRO TEMPORE

Mr. KENNEDY. Mr. President, I submit a resolution, and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated.

The assistant legislative clerk read the resolution (S. Res. 509) as follows:

S. Res. 509

Resolved, That the thanks of the Senate are hereby tendered to the Honorable Richard B. Russell, President pro tempore of the Senate, for the courteous, dignified, and impartial manner in which he has presided over its deliberations during the second session of the Ninety-first Congress.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

THANKS OF THE SENATE TO THE ACTING PRESIDENT PRO TEMPORE

Mr. MANSFIELD. Mr. President, I submit a resolution and ask for its immediate consideration. It seems to emphasize what the assistant majority leader and the minority leader have already said.

The PRESIDING OFFICER. The resolution will be stated.

The assistant legislative clerk read the resolution (S. Res. 510) as follows:

S. Res. 510

Resolved, That the thanks of the Senate are hereby tendered to the Honorable Lee Metcalf, Acting President pro tempore of the Senate, for the courteous, and impartial manner in which he has presided over the deliberations during the second session of the Ninety-first Congress.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. MANSFIELD. Mr. President, I think that takes care of the President of the Senate, President pro tempore, and the Acting President pro tempore on a permanent basis, my distinguished colleague from Montana (Mr. METCALF).

Now, Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair, while we give the President the welcome news.

The PRESIDING OFFICER (Mr. STEVENS). Without objection, it is so ordered.

Thereupon, at 2:05 p.m., the Senate took a recess, subject to the call of the Chair.

The Senate reassembled at 2:15 p.m., when called to order by the Presiding Officer (Mr. STEVENS).

REPORT OF PRESIDENTIAL NOTIFICATION COMMITTEE

Mr. MANSFIELD. Mr. President, we are about to report that we have informed the President of the pending adjournment sine die of the Senate. We asked him if he had any further work for us to do.

He said, "No, not at this time."

He was courteous enough to compliment us on what we had accomplished.

We both thought it was about time for the executive and legislative branches to take a brief respite from our daily labors.

Mr. SCOTT. Mr. President, if the distinguished majority leader would yield, I would like to comment only to this extent, that the President, as the distinguished majority leader has said, expressed his thanks for the work done and indicated that he would see us all again at the time of the state of the Union message on the 22d, which will probably be delivered at night, rather than at noon, the purpose of which the Senators are familiar with.

He also wished the two of us a happy New Year and inquired solicitously as to our vacation plans.

We expressed the same thoughts to him. He asked us to express his happy New Year greetings to all Senators, members of the staff, and employees of the Senate as well.

Therefore, it is a pleasure to report that the business is finished and we draw very close to the two most beautiful words in Senate language, "sine die."

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORITY FOR SECRETARY OF THE SENATE TO RECEIVE MESSAGES FROM THE HOUSE DURING ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Secretary of the Senate be authorized to receive messages from the House of Representatives after the sine die adjournment.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, may I ask the Parliamentarian if there is anything the joint leadership has forgotten to request at this time?

The PRESIDING OFFICER. The Chair is informed there is nothing.

ADJOURNMENT SINE DIE

Mr. SCOTT. Mr. President, with mixed emotions, almost all of them happy, I now move, in accordance with the terms of House Concurrent Resolution 799,

that the Senate of the United States adjourn sine die.

The motion was agreed to; and (at 2 o'clock and 29 minutes p.m.) the Senate adjourned sine die.

APPROVAL OF BILLS AND JOINT RESOLUTIONS SUBSEQUENT TO THE SINE DIE ADJOURNMENT

The President of the United States, subsequent to the sine die adjournment of the second session of the 91st Congress, notified the Secretary of the Senate that he had approved and signed the following acts and joint resolutions:

On December 30, 1970:

S. 1785. An act for the relief of Irene Sadowska Sullivan;

S. 2162. An act to provide for special packaging to protect children from serious personal injury or serious illness resulting from handling, using, or ingesting household substances, and for other purposes; and

S. 3318. An act to amend the Library Services and Construction Act, and for other purposes.

On December 31, 1970:

S. 704. An act to amend the act of October 15, 1966 (80 Stat. 953; 20 U.S.C. 65a), relating to the National Museum of the Smithsonian Institution, so as to authorize additional appropriations to the Smithsonian Institution for carrying out the purposes of said act;

S. 719. An act to establish a national mining and minerals policy;

S. 2102. An act for the relief of Percy Ispas Avram;

S. 2984. An act to permit certain Federal employment to be counted toward retirement;

S. 3619. An act to revise and expand Federal programs for relief from the effects of major disasters, and for other purposes;

S. 3835. An act to provide a comprehensive Federal program for the prevention and treatment of alcohol abuse and alcoholism;

S. 4106. An act to amend the Public Health Service Act to authorize the assignment of commissioned officers of the Public Health Service to areas with critical manpower shortages, to encourage health personnel to practice in areas where shortages of such personnel exist, and for other purposes;

S. 4571. An act to amend the Central Intelligence Agency Retirement Act of 1964 for Certain Employees, as amended, and for other purposes;

S.J. Res. 173. Joint resolution authorizing a grant to defray a portion of the cost of expanding the United Nations headquarters in the United States; and

S.J. Res. 249. Joint resolution to extend the time for the proclamation of marketing quotas for burley tobacco for the three marketing years beginning October 1, 1971.

On January 2, 1971:

S. 1. An act to provide for uniform and equitable treatment of persons displaced from their homes, businesses, or farms by Federal and federally assisted programs and to establish uniform and equitable land acquisition policies for Federal and federally assisted programs.

On January 5, 1971:

S. 11. An act to reinforce the federal system by strengthening the personnel resources of State and local governments, to improve intergovernmental cooperation in the administration of grant-in-aid programs, to provide grants for improvement of State and local personnel administration, to authorize Federal assistance in training State and local employees, to provide grants to State and local governments for training of their employees, to authorize interstate compacts for personnel and training activities,

to facilitate the temporary assignment of personnel between the Federal Government, and State and local governments, and for other purposes.

On January 8, 1971:

S. 437. An act to amend chapter 83 of title 5, United States Code, relating to survivor annuities under the civil service retirement program, and for other purposes.

S. 1626. An act to regulate the practice of psychology in the District of Columbia.

On January 11, 1971:

S. 1181. An act to provide authority for promotion programs for milk, tomatoes, and potatoes, and to amend section 8e of the Agricultural Adjustment Act, as reenacted and amended, to provide for the extension of restrictions on imported commodities imposed by such section to imported raisins, olives, and prunes.

MESSAGE FROM THE HOUSE RECEIVED SUBSEQUENT TO SINE DIE ADJOURNMENT

Under authority of the order of the Senate of January 2, 1971, the Secretary of the Senate on January 2, 1971, received a message from the House of Representatives which announced that the House had agreed to the amendments of the Senate to the bill (H.R. 17917) to amend the Tax Reform Act of 1969.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H.R. 17984) to amend section 905 of the Tax Reform Act of 1969.

The message further announced that the House had agreed to the amendments of the Senate to the bill (H.R. 18693) to amend section 165(i) of the Internal Revenue Code of 1954.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H.R. 19242) to amend section 278 of the Internal Revenue Code of 1954 to extend its application from citrus groves to almond groves.

The message further announced that the House had agreed to the amendments of the Senate to the bill (H.R. 19881) on consolidated returns of life insurance companies.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H.R. 19915) to make permanent the existing temporary provision for disregarding income of old-age, survivors, and disability insurance and railroad retirement recipients in determining their need for public assistance.

The message further announced that the House had agreed to the amendments of the Senate to the resolution (H. Con. Res. 785) authorizing the printing as a House document the book entitled "Our American Government and How It Works: 1,001 Questions and Answers."

ENROLLED BILLS AND JOINT RESOLUTION SIGNED SUBSEQUENT TO SINE DIE ADJOURNMENT

Subsequent to the sine die adjournment of the Senate, the Acting President pro tempore (Mr. METCALF), under authority of Senate Concurrent Resolution 89, signed the following enrolled bills and joint resolution, which had previously been signed by the Speaker of the House

of Representatives, and examined and found truly enrolled by the Secretary of the Senate:

On January 2, 1971:

H.R. 370. An act to amend chapter 39 of title 38, United States Code, to increase the amount allowed for the purchase of specially equipped automobiles for disabled veterans, to extend benefits under such chapter to certain persons on active duty, and to provide for provision and replacement of adaptive equipment and continuing repair, maintenance, and installation thereof;

H.R. 6562. An act to amend certain provisions of the Internal Revenue Code of 1954 relating to beer, and for other purposes;

H.R. 7626. An act to amend the Tariff Schedules of the United States with respect to the tariff classification of certain sugars, sirups, and molasses, and for other purposes;

H.R. 15628. An act to amend the Foreign Military Sales Act, and for other purposes;

H.R. 15728. An act to authorize the extension of certain naval vessel loans now in existence and new loans, and for other purposes;

H.R. 17068. An act to amend the Tariff Schedules of the United States to provide for a partial exemption from duty for aircraft manufactured or produced in the United States with the use of foreign components imported under temporary importation bond, and for other purposes;

H.R. 17658. An act to provide floor stock refunds in the case of cement mixers;

H.R. 17917. An act to amend the Internal Revenue Code of 1954 with respect to the period of qualifications of certain union-negotiated pension plans;

H.R. 17984. An act to amend section 905 of the Tax Reform Act of 1969;

H.R. 17988. An act to amend section 47 of the Internal Revenue Code of 1954 to allow aircraft to be leased for temporary use outside the United States without a recapture of the investment credit;

H.R. 18549. An act to amend sections 902 (b) and 902 (c) of the Internal Revenue Code of 1954 to reduce the 50-percent requirement to 10 percent between first and second levels and to include third-level foreign corporations in the tax credit structure if the 10-percent test is met;

H.R. 18694. An act to amend provisions of the Internal Revenue Code of 1954 relating to the treatment of certain losses sustained by reason of the confiscation of property by the Government of Cuba;

H.R. 19113. An act to provide for the free entry of a 61-note cast bell carillon and a 42-note subsidiary cast bell carillon for the use of Indiana University, Bloomington, Ind.;

H.R. 19172. An act to provide Federal financial assistance to help cities and communities to develop and carry out intensive local programs to eliminate the causes of lead-based paint poisoning and local programs to detect and treat incidents of such poisoning, to establish a Federal demonstration and research program to study the extent of the lead-based paint poisoning problem and the methods available for lead-based paint removal, and to prohibit future use of lead-based paint in Federal or federally assisted construction or rehabilitation;

H.R. 19242. An act to amend section 278 of the Internal Revenue Code of 1954 to extend its application from citrus groves to almond groves;

H.R. 19369. An act to amend section 165 (g) of the Internal Revenue Code of 1954 which provides for treatment of losses on worthless securities;

H.R. 19391. An act to amend the Tariff Act of 1930 to grant to the transferee of merchandise in bonded warehouse the right to administrative review of customs decisions;

H.R. 19470. An act to amend title XVIII of the Social Security Act to modify the nursing service requirement and certain other requirements which an institution must meet in order to qualify as a hospital thereunder so as to make such require-

ments more realistic insofar as they apply to smaller institutions;

H.R. 19562. An act to amend the Internal Revenue Code of 1954 with respect to certain statutory mergers;

H.R. 19567. An act to continue until the close of June 30, 1971, the International Coffee Agreement Act of 1968;

H.R. 19627. An act to amend section 1372 of the Internal Revenue Code of 1954, relating to passive investment income;

H.R. 19670. An act to suspend the duties on certain bicycle parts and accessories until the close of December 31, 1973;

H.R. 19686. An act to amend section 367 of the Internal Revenue Code of 1954;

H.R. 19774. An act to amend the Internal Revenue Code of 1954 to provide that in certain cases a spouse will be relieved of liability arising from a joint income tax return;

H.R. 19790. An act relating to the income tax treatment of certain sales of real property by a corporation;

H.R. 19881. An act relating to consolidated returns of life insurance companies, and for other purposes;

H.R. 19915. An act to extend the temporary provision for disregarding income of old-age, survivors, and disability insurance and railroad retirement recipients in determining their needs for public assistance; and

H.J. Res. 1421. Joint resolution making further continuing appropriations for the fiscal year 1971, and for other purposes.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 2, 1971:

OFFICE OF ECONOMIC OPPORTUNITY

Carol M. Khosrovi, of Virginia, to be an Assistant Director of the Office of Economic Opportunity.

John Oliver Wilson, of Connecticut, to be an Assistant Director of the Office of Economic Opportunity.

HOUSE OF REPRESENTATIVES—Saturday, January 2, 1971

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

As I was with Moses, so I will be with you: I will not fail you or forsake you. Joshua 1: 5.

O God, our Father, by whose mercy we have come to the portal of another year, grant that we may enter it with humble and grateful hearts. Confirm us in our resolution to walk more closely with Thee in Thy way and to labor more faithfully for the good of our country and the peace of the world. Thus may this year be a better year and our Nation a better nation because we live and work and pray during these coming months.

Bless Thou our beloved Speaker and his lovely wife. Looking forward, may they feel the support of Thy grace, be sustained by our affection, and find security in their faith in Thee and in our country. Guided by Thy Spirit, may they and we walk along the path that shineth more and more unto the perfect day of Thy heavenly kingdom.

May Thy blessing abide with us and our Nation now and forevermore. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, December 31, 1970, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 6562. An act to amend certain provisions of the Internal Revenue Code of 1954 relating to beer, and for other purposes;

H.R. 7626. An act to amend the Tariff Schedules of the United States with respect to the tariff classification of certain sugars, sirups, and molasses, and for other purposes;

H.R. 17658. An act to provide floor stock refunds in the case of cement mixers;

H.R. 17988. An act to amend section 47 of the Internal Revenue Code of 1954 to allow aircraft to be leased for temporary use outside the United States without a recapture of the investment credit;

H.R. 18549. An act to amend sections 902 (b) and 902 (c) of the Internal Revenue Code of 1954 to reduce the 50-percent requirement to 10 percent between first and second levels and to include third-level foreign corporations in the tax credit structure if the 10-percent test is met;

H.R. 19369. An act to amend section 165 (g) of the Internal Revenue Code of 1954 which provides for treatment of losses on worthless securities;

H.R. 19391. An act to amend the Tariff Act of 1930 to grant to the transferee of merchandise in bonded warehouse the right to administrative review of customs decisions;

H.R. 19470. An act to amend title XVIII

of the Social Security Act to modify the nursing service requirement and certain other requirements which an institution must meet in order to qualify as a hospital thereunder so as to make such requirements more realistic insofar as they apply to smaller institutions;

H.R. 19562. An act to amend the Internal Revenue Code of 1954 with respect to certain statutory mergers;

H.R. 19627. An act to amend section 1372 of the Internal Revenue Code of 1954, relating to passive investment income;

H.R. 19670. An act to suspend the duties on certain bicycle parts and accessories until the close of December 31, 1973;

H.R. 19686. An act to amend section 367 of the Internal Revenue Code of 1954;

H.R. 19774. An act to amend the Internal Revenue Code of 1954 to provide that in certain cases a spouse will be relieved of liability arising from a joint income tax return; and

H.R. 19790. An act relating to the income tax treatment of certain sales of real property by a corporation.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 18251. An act to amend the Internal Revenue Code of 1954 to provide refunds in case of certain uses of tread rubber; and

H.R. 19915. An act to make permanent the existing temporary provision for disregarding income of old-age, survivors, and disability insurance and railroad retirement re-